

6876. Also, petition of the American Federation of Labor, Washington, D. C., petitioning consideration of their resolution with reference to United States Housing Authority; to the Committee on Banking and Currency.

6877. Also, petition of the Brotherhood of Railway Agents, Telegraphers, and Signal Operators, Oakland, Calif., petitioning consideration of their resolution with reference to conducting a diligent investigation of labor union's camouflaged capitalistic enterprises; to the Committee on the Judiciary.

6878. Also, petition of the Brotherhood of Railway Agents, Telegraphers, and Signal Operators, Oakland, Calif., petitioning consideration of their resolution with reference to civil liberties and economic freedom; to the Committee on Labor.

6879. Also, petition of the Brotherhood of Railway Agents, Telegraphers, and Signal Operators, Oakland, Calif., petitioning consideration of their resolution with reference to an investigation of acts of violence, sabotage, and incendiarism; to the Committee on Rules.

6880. Also, petition of the National Cotton Council of America, Memphis, Tenn., petitioning consideration of their resolution with reference to trade barriers of the cotton South; to the Committee on Agriculture.

6881. Also, petition of the San Pedro Civic Council, San Pedro, Calif., petitioning consideration of their resolution with reference to House 7447, a bill providing for Federal aid in the construction of the T-tunnel project at San Pedro Harbor; to the Committee on Military Affairs.

6882. Also, petition of the United Association of Journeymen Plumbers and Steam Fitters, Pasadena, Calif., petitioning consideration of their resolution with reference to Senate bill 591, concerning the United States Housing Authority; to the Committee on Banking and Currency.

SENATE

TUESDAY, MARCH 12, 1940

(Legislative day of Monday, March 4, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Zebarny T. Phillips, D. D., offered the following prayer:

Blessed Son of God, who in the days of Thy flesh didst oft repair to the secret place for communion with Thy Father: Grant that as we come into Thy presence we may find it a sanctuary, secure from the clamor of the world, where no controversy penetrates, where no rivalries can live within its gates of peace. Here may we step out of the shallows of impetuosity into the clear depths of love; here may we unlearn the passion that worketh ill to our neighbor and find our futile questionings lost in a certainty deeper than our inquiring minds. And, as we turn again to respond to the call of the world's great need, tolling feverishly and often beyond our strength, when the evening bell still tarries and our work is still undone, do Thou open then the crystal fountains whence the healing waters flow, that again we may walk with Thee in the garden in the cool of the day. In Thy name, O blest Redeemer, do we offer up our prayer. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, March 11, 1940, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Austin	Barbour	Brown
Andrews	Bailey	Barkley	Bulow
Ashurst	Bankhead	Bilbo	Burke

Byrd	Green	McKellar
Byrnes	Guffey	McNary
Capper	Gurney	Maloney
Caraway	Hale	Mead
Chandler	Harrison	Miller
Chavez	Hatch	Minton
Clark, Idaho	Hayden	Murray
Clark, Mo.	Herring	Neely
Connally	Hill	Norris
Danaher	Holman	Nye
Davis	Holt	O'Mahoney
Donahey	Hughes	Overton
Ellender	Johnson, Calif.	Pepper
Frazier	Johnson, Colo.	Pittman
George	La Follette	Reed
Gerry	Lee	Reynolds
Gibson	Lodge	Russell
Gillette	Lundeen	Schwartz
Glass	McCarran	Schwellenbach

Sheppard
Shipstead
Smathers
Smith
Stewart
Taft
Thomas, Idaho
Thomas, Okla.
Thomas, Utah
Townsend
Truman
Tydings
Vandenberg
Van Nuys
Wagner
Walsh
Wheeler
White
Wiley

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Utah [Mr. KING] are absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from Maryland [Mr. RADCLIFFE], and the Senator from Illinois [Mr. SLATTERY] are detained on important public business.

The Senator from Illinois [Mr. LUCAS] is unavoidably detained.

The VICE PRESIDENT. Eighty-eight Senators have answered to their names. A quorum is present.

PETITIONS

The VICE PRESIDENT laid before the Senate a resolution adopted by the Bradbury Heights Citizens' Association of Washington, D. C., favoring an appropriation for the purchase of a site for elementary-school purposes within Bradbury Heights in the vicinity of the intersection of Alabama Avenue and H Streets SE., in the District of Columbia, which was referred to the Committee on Appropriations.

Mr. WALSH presented a petition of sundry citizens of the State of Massachusetts, praying for the adoption of the so-called Tobey resolution, being the resolution (S. Res. 231) favoring the deletion from the Sixteenth Census population schedule of inquiries numbered 32 and 33, relating to compensation received, which was referred to the Committee on Commerce.

REPORTS OF COMMITTEES

Mr. CLARK of Missouri, from the Committee on Commerce, to which was referred the bill (S. 3231) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo., reported it without amendment and submitted a report (No. 1303) thereon.

Mr. WHEELER, from the Committee on Interstate Commerce, to which was referred the resolution (S. Res. 224) authorizing and directing an investigation of alleged wire tapping and installation of listening or recording devices (submitted by Mr. GREEN on February 1, 1940), reported it with an amendment and submitted a report (No. 1304) thereon, and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on March 11, 1940, that committee presented to the President of the United States the following enrolled bills:

S. 1449. An act for the relief of Robert Stockman;

S. 1998. An act for the relief of Ernestine Huber Neuheller; and

S. 2284. An act to amend the act of May 4, 1898 (30 Stat. 369), so as to authorize the President to appoint 100 acting assistant surgeons for temporary service.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BARBOUR:

S. 3562. A bill to provide for a maximum interest rate of 3 percent on loans secured by United States Government life-insurance policies; to the Committee on Finance.

By Mr. TAFT:

S. 3563. A bill for the relief of Roche, Connell & Laub Construction Co.; to the Committee on Claims.

By Mr. BAILEY:

S. 3564. A bill to provide for a study relating to the promotion of the sale and use in South America and Central America of tobacco produced in the United States; to the Committee on Agriculture and Forestry.

By Mr. BANKHEAD:

S. 3565. A bill for the relief of Erich Hecht, Grete J. L. Hecht, and Erich F. Hecht, Jr.; to the Committee on Immigration.

By Mr. SHEPPARD:

S. 3566. A bill to provide pay to Air Corps Reserve officers for risks incurred in authorized training flights when not on active duty; to the Committee on Military Affairs.

By Mr. McNARY:

S. 3567. A bill relating to lands of the Klamath and Modoc Tribes and the Yahooskin Band of Snake Indians; to the Committee on Indian Affairs.

By Mr. REYNOLDS:

S. 3568. A bill for the relief of A. Natalie Graham; to the Committee on Finance.

By Mr. McKELLAR:

S. J. Res. 229. Joint resolution determining the exterior material and finish of public buildings to be erected in the northwest triangle; to the Committee on Public Buildings and Grounds.

CHANGE OF REFERENCE

On motion by Mr. REYNOLDS, the Committee on Finance was discharged from the further consideration of the bill (S. 3378) granting an increase of pension to Gus Hughes, and it was referred to the Committee on Pensions.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO AGRICULTURAL APPROPRIATION BILL

Mr. FRAZIER submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall hereafter move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 8202) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes, the following amendment, namely:

At the proper place in the bill insert the following:

"BUREAU OF INTERNAL REVENUE

"The funds continued available (by the Treasury and Post Office Departments Appropriation Act, 1941) during the fiscal year 1941 for refunds of processing and related taxes shall be available during such fiscal year for the payment, hereby authorized under such regulations as may be prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury, to any person who raised or produced and marketed hogs for slaughter on which there was levied, collected, or paid a processing tax under the provisions of the Agricultural Adjustment Act (of 1933), or his legal representatives, of so much of such tax as was in fact borne by such person: *Provided*, That the amount of such tax borne by such person with respect to any particular quantity of hogs shall be deemed to be an amount equal to the processing tax payable upon an equal quantity of hogs at the time such particular quantity of hogs was marketed minus any amount by which the spread between the average hog-product value at Chicago of such particular quantity of hogs during the month in which they were marketed and the average hog price at Chicago of such particular quantity of hogs during such month was less than the amount of such processing tax plus 65 cents for each hundredweight of such particular quantity of hogs: *Provided further*, That the rate of processing tax levied, collected, or paid with respect to any particular quantity of hogs marketed by a claimant under the provisions of this paragraph shall be deemed to be the rate prevailing on the day following the day upon which such hogs were marketed by such claimant: *Provided further*, That any claim for payment under the provisions of this paragraph shall be filed with the Commissioner of Internal Revenue after the date of enactment of this act and prior to July 1, 1941, and proof upon such claim must be submitted prior to December 31, 1941: *Provided further*, That the allowance or disallowance by the Commissioner of Internal Revenue of any claim filed under the provisions of this paragraph shall be reviewable in the same manner and to the same extent that the allowance or disallowance of a claim filed under the provisions of title VII of the Revenue Act of 1936 is reviewable under section 906 of such act: *Provided further*, That account sales kept by a vendor, or a vendee, or by an agent of either, with respect to a particular quantity of hogs shall be accepted as proof of a claim for payment under the provisions of this paragraph with respect to such quantity of hogs: *Provided further*, That no part of any payment made under this paragraph in excess of 10 percent thereof shall be paid to or received by any agent or attorney on account of services rendered in

connection with obtaining such payment, and the same shall be unlawful, any contract to the contrary notwithstanding; and any person violating the provisions of this proviso shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not exceeding \$1,000."

Mr. FRAZIER submitted an amendment intended to be proposed by him to House bill 8202, the Agricultural Department appropriation bill, which was ordered to lie on the table and to be printed. (For text of amendment referred to, see the foregoing notice.)

REDUCTION OF CAPITAL FUNDS OF CERTAIN CREDIT CORPORATIONS

Mr. BYRD. Mr. President, I ask unanimous consent that I may offer a resolution, not for immediate consideration, but to be considered in accordance with the rules of the Senate, and for the information of the Senate I ask that the clerk read the resolution.

The VICE PRESIDENT. The clerk will state the resolution.

The Chief Clerk read the resolution (S. Res. 243), as follows:

Whereas the President, in his Budget message of January 3, 1940, estimated that it would be feasible to reduce by \$700,000,000 the capital funds of certain credit corporations established by the Government at various times as emergencies have arisen; and

Whereas the credit corporations referred to in such message were not specifically enumerated, and repeated requests to have the Director of the Bureau of the Budget identify or enumerate such corporations have been denied; and

Whereas it is essential, in the public interest, that full information with respect to the reduction of the capital funds of such corporations be furnished to the Senate: Therefore be it

Resolved, That the Director of the Bureau of the Budget is hereby requested to submit to the Senate immediately a list of the credit corporations whose capital funds are proposed to be reduced, in accordance with the Budget message of the President of January 3, 1940, and the amount of the proposed reduction of capital funds in the case of each such corporation.

Mr. BYRD. Mr. President, I should like to make a brief statement regarding the subject matter of the resolution I have just sent forward.

On January 12 I wrote to the Director of the Budget, Mr. Smith, requesting detailed information with respect to the \$700,000,000 it is proposed to divert from credit corporations to be placed into the General Treasury to avoid the necessity of asking Congress to increase the Federal debt limit of \$45,000,000,000.

The Director of the Budget replied on January 17 that he was not prepared to furnish this information. On February 28 I wrote him again. Today I received a personal visit from Mr. Smith, at which time he stated that the information was not yet available, and that at least several weeks would elapse before Congress could be informed as to the details of this diversion of \$700,000,000.

This detailed information should have been included in the Budget when it was submitted on January 3. I am astonished to know that the information is still incomplete.

This is a vital question, as it directly affects the appropriations now being made by Congress and an increase in the debt limit. I therefore felt it incumbent upon me to offer a resolution calling upon the Director of the Budget to furnish immediately this information to Congress.

No device should be adopted by the administration to evade by subterfuge the legal debt limit.

It is possible, and probable, that these diversions will not meet with the approval of Congress, and the Members should know this before pending appropriation bills are enacted which, unless the diversion is made, will necessitate exceeding the legal debt limit.

The VICE PRESIDENT. The resolution will lie over under the rule.

ARTICLE BY SENATOR BARBOUR ON OUR FARM POLICY

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD an article entitled "Nonsensical Conflicts in Our Farm Policy," written by Senator BARBOUR and published in the New Jersey Farm and Garden for March 1940, which appears in the Appendix.]

ARTICLE BY DAVID C. COYLE ON BACK TO THE LAND

[Mr. LEE asked and obtained leave to have printed in the RECORD an article entitled "Back to the Land," written by

David Cushman Coyle and published in the February issue of the *Survey Graphic*, which appears in the Appendix.]

LETTER BY PROFESSOR BORCHARD ON THE "ALTMARK" CASE

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD a letter written by Prof. Edwin Borchard, of Harvard University, in regard to the *Altmark* case, which appears in the Appendix.]

EDITORIAL FROM TIMES-HERALD ON HEIRS OF THE BRITISH EMPIRE

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial from the *Times-Herald* of the issue of Monday, March 11, 1940, entitled "Heirs of the British Empire," which appears in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 7084. An act to amend the act entitled "An act to regulate proceedings in adoption in the District of Columbia," approved August 25, 1937;

H. R. 7114. An act to amend paragraph (c) of section 6 of the District of Columbia Traffic Act, as amended by act approved February 27, 1931;

H. R. 8470. An act to amend section 6 of the District of Columbia Alcoholic Beverage Control Act;

H. R. 8639. An act to change the name of a portion of Twenty-fourth Street NW. to Williamsburg Lane;

H. J. Res. 465. Joint resolution authorizing the granting of permits to the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1941, and for other purposes; and

H. J. Res. 466. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies of 1941.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred, or ordered to be placed on the calendar, as follows:

H. R. 7084. An act to amend the act entitled "An act to regulate proceedings in adoption in the District of Columbia," approved August 25, 1937;

H. R. 7114. An act to amend paragraph (c) of section 6 of the District of Columbia Traffic Act, as amended by act approved February 27, 1931; and

H. R. 8470. An act to amend section 6 of the District of Columbia Alcoholic Beverage Control Act; to the Committee on the District of Columbia.

H. R. 8639. An act to change the name of a portion of Twenty-fourth Street NW. to Williamsburg Lane;

H. J. Res. 465. Joint resolution authorizing the granting of permits to the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1941, and for other purposes; and

H. J. Res. 466. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies of 1941; to the calendar.

PERSONAL EXPLANATION

Mr. GUFFEY. Mr. President, in a speech in the Senate on July 29, 1939, I referred to an article appearing in the *St. Louis Post-Dispatch*, written by Mr. Marquis W. Childs, its Washington correspondent, concerning a trip I made to Mexico in 1937. The implications of the story were to the effect that I had improperly used my position as a Senator to further some foreign oil deal, which was entirely untrue. The wrong impression about me given by the article was due more to its implications than to the actual wording of it.

The facts stated in the article were substantially correct, but the interpretation put upon them was entirely wrong, and I resented it.

I had been informed by a source which I then considered to be responsible and reliable that the writer of the article,

Mr. Childs, had received compensation from someone other than his employer for writing that story; and I made that statement on the floor of the Senate on July 29, 1939.

The person from whom I received my information has been unable or unwilling to substantiate the statement he made to me.

I now believe that the statement I made on the floor of the Senate, that Mr. Marquis W. Childs received compensation from someone other than his regular employer, was not true; and I deeply regret the incident, and ask permission to withdraw the statement.

I am doing this voluntarily. I have not discussed it with Mr. Childs or his counsel, and I have no arrangement with them whatsoever.

I merely want to correct what I think was an injustice to Mr. Childs.

FIRST DEFICIENCY APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 8641) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1940, to provide supplemental appropriations for such fiscal year, and for other purposes.

THE VICE PRESIDENT. The question is, Shall the bill pass?

Mr. THOMAS of Oklahoma. Mr. President, I desire to offer an amendment.

THE VICE PRESIDENT. Let the Chair state to the Senator from Oklahoma and the Senate that the bill has reached such a stage in its passage through the Senate that unanimous consent will be required for the Senator to offer the amendment.

Mr. THOMAS of Oklahoma. Mr. President, I was advised last night that the regular order had been demanded prior to the passage of the bill.

THE VICE PRESIDENT. That is correct; but the bill was on its passage. The Senator may pursue either one of two methods: For the purpose of offering his amendment he may move to reconsider the vote by which the bill was ordered to be read a third time, or he may ask unanimous consent to offer the amendment.

Mr. THOMAS of Oklahoma. Mr. President, I will make a brief statement prior to my request. On yesterday I submitted an amendment providing an expenditure of \$8,000 to defray the expenses of delegates to an Indian conference to be held in Mexico. The amendment contained legislation. A point of order was made against the amendment, and the Chair held the point of order good. Since that time the State Department has drawn a new amendment hoping, trying, and seeking to eliminate legislation. I desire to offer that amendment. It carries the same amount of money, but, as I understand, is not contrary to existing policy. It is not legislation.

I now ask unanimous consent that the vote by which the bill was advanced to its third reading be reconsidered, to the end that I may offer such an amendment.

THE VICE PRESIDENT. Is there objection to the request of the Senator from Oklahoma to reconsider the vote by which the bill was carried to its third reading? The Chair hears none. The amendment offered by the Senator from Oklahoma will be stated.

The legislative clerk read as follows:

On page 18, after line 5, it is proposed to insert the following:

"FIRST INTER-AMERICAN CONGRESS ON INDIAN LIFE

"For the expenses of participation by the United States in the first Inter-American Congress on Indian Life, to be held at Patzcuaro, Mex., in 1940, including personal services in the District of Columbia or elsewhere; stenographic reporting, translating, and other services by contract if deemed necessary; rent; travel expense; local transportation; transportation of things; purchase of necessary books, documents, newspapers, and periodicals; stationery; equipment; official cards; printing and binding; official entertainment; costs of assembling, installing, packing, transporting, safekeeping, demonstrating, and renovating a suitable exhibit, and the purchase of supplies incident thereto; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, fiscal year 1940, to

remain available until June 30, 1941 (convention on the Pan American Union, adopted at Habana, Cuba, February 1928, ratified by the President March 6, 1931; Resolution XCIII, adopted at Montevideo, December 24, 1933; Resolution XIII, adopted at Lima, Peru, December 31, 1938), \$8,000."

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. THOMAS].

Mr. FRAZIER. Mr. President, yesterday, when the bill was before the Senate, the junior Senator from New Mexico [Mr. CHAVEZ] offered an amendment similar to this one. He is not now on the floor.

Mr. THOMAS of Oklahoma. Mr. President, in reply to the suggestion of the Senator from North Dakota, I may suggest that it is a well-established principle that the President cannot be dictated to in making appointments, and he will make these appointments; so I suggest that if a provision of that kind should be placed in the amendment it would have to go out in conference, or else the whole item probably would have to go out in conference. I am sure it is the intent of the State Department to have a liberal representation of Indians in attendance upon this conference. I make that statement authoritatively.

Mr. FRAZIER. Under this amendment, the President will make the appointments?

Mr. THOMAS of Oklahoma. That is correct.

Mr. FRAZIER. I have no objection, but I thought perhaps the Senator from New Mexico might want to offer another amendment. However, he is not present.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. THOMAS].

The amendment was agreed to.

The additional amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

EXTENSION OF ANTIPERNICIOUS POLITICAL ACTIVITIES ACT

The Senate resumed the consideration of the bill (S. 3046) to extend to certain officers and employees in the several States and the District of Columbia the provisions of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939.

Mr. JOHNSON of Colorado. Mr. President, I desire to call up an amendment which I have on the desk.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. At the proper place in the bill it is proposed to insert the following new section:

SEC. —. Amend section 9 by striking out the period at end of subsection (b) and adding the following "Provided, That the provisions of this section shall not apply to officers or employees of the Federal Government residing and voting in any State where State laws do not forbid the officials and employees of the State or local agencies of the general class above described from taking any active part in political management or political campaigns."

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). The question is on agreeing to the amendment offered by the Senator from Colorado.

Mr. JOHNSON of Colorado. Mr. President, I desire to make one correction in the amendment. Instead of reading "at the proper place in the bill", it should read "after the period in line 18, add the following."

The PRESIDING OFFICER. The amendment will be so modified.

Mr. JOHNSON of Colorado. Mr. President, before I proceed to explain the amendment I wish to make a statement.

Regardless of whether or not my amendment is agreed to, I expect to support the pending bill. I sincerely hope my amendment will be agreed to. I believe it should be agreed to; but if it shall not be agreed to, I will support the pending legislation so long as section 9 of the original Hatch Act remains upon our statute books.

Mr. HATCH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New Mexico?

Mr. JOHNSON of Colorado. Gladly.

Mr. HATCH. I am trying to ascertain the exact place where this amendment comes in the pending bill. The copy of the amendment I have reads:

After the period in line 18, add the following—

On what page, may I ask the Senator?

The PRESIDING OFFICER. The Chair understands the amendment comes at the end of the committee amendment, on page 7, after line 18.

Mr. JOHNSON of Colorado. Mr. President, the legislation contemplated by the Hatch bill runs into the difficulty of enacting laws for our dual form of government.

Mr. NEELY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. Gladly.

Mr. NEELY. I inquire of the able Senator from Colorado if I am correct in believing that his amendment is based upon the theory that the Congress should not tie the hands of Federal employees to a greater extent than the hands of similar employees of the various State governments are also tied.

Mr. JOHNSON of Colorado. That is exactly the purpose of the amendment.

Mr. SCHWELLENBACH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SCHWELLENBACH. I should like to inquire whether or not this amendment is one which is subject to division.

The PRESIDING OFFICER. The amendment is not subject to division.

Mr. JOHNSON of Colorado. The Senator from Colorado is not willing to have the amendment divided, he may say to the Senator from Washington, because, unless the first section of the amendment is adopted and agreed to, the Senator from Colorado will vote against the adoption of the second section.

The able Senator from West Virginia [Mr. NEELY] has stated the situation exactly. The purpose of the amendment is to bring about cooperation between State laws and Federal laws instead of coercion, as is the case now, under the original Hatch Act. Cooperation is substituted for coercion.

As I stated a moment ago, so long as section 9 remains in the original Hatch Act I believe that the Congress is under obligation to the people of this country to change that law. The provisions of section 9 in their effect upon the welfare of this country are not at all wholesome. That act does not contribute to the purity of politics in any degree; it does exactly the opposite; and that is why I have offered my amendment, in the hope that section 9 may be modified.

As was stated a few days ago by the able Senator from Arkansas [Mr. MILLER], the eight sections of the original Hatch Act are entirely separate. I do not believe there is a Senator on either side of the aisle who is not in favor of the first eight sections of the Hatch Act. According to the newspapers, and according to some of the debate which has been carried on in the Senate, any effort to amend or change or modify section 9 is an effort to scuttle the Hatch Act. I do not hold to that opinion at all. I hold to the opposite opinion. I do not believe that section 9 is the heart of the Hatch Act. I think that section 9, instead of being the heart of the Hatch Act, is a cancerous growth upon the Hatch Act, and that it should be modified or removed.

I desire to read from section 9 so that Senators may understand exactly what are the provisions of the section to which I refer:

It shall be unlawful for any person employed in the executive branch of the Federal Government, or any agency or department thereof, to use his official authority or influence for the purpose of interfering with an election.

I skip some of the language and go to some of the exceptions, which are found several lines below the language I have just read:

For the purposes of this section the term "officer" or "employee" shall not be construed to include (1) the President and Vice President of the United States; (2) persons whose compensation is paid from the appropriation for the office of the President; (3) heads and assistant heads of executive departments.

In other words, the exemptions are to the statement "for the purpose of interfering with an election," so that section 9 makes it perfectly lawful for the President and Vice President of the United States to use their official authority or influence for the purpose of interfering with an election. The same applies to the heads and assistant heads of executive departments and to the officers in the Diplomatic Service.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. HATCH. The Senator does not mean that under the law as a whole the officials he has mentioned are at liberty to use their official influence or authority for the purpose of interfering with an election, does he?

Mr. JOHNSON of Colorado. That is the way the law reads.

Mr. HATCH. That is the way the section reads; I referred to the law as a whole.

Mr. JOHNSON of Colorado. The law as a whole does not apply to the particular officers mentioned.

Mr. HATCH. Will the Senator read section 2 of the act, and tell us why it does not apply to those particular officers?

Mr. JOHNSON of Colorado. As I have said, I am in complete accord with everything in section 2, and everything that is in sections 1, 3, 4, 5, 6, 7, and 8; but we are talking about section 9.

Mr. HATCH. I prefaced my statement with the words "the law as a whole," and the Senator is seeking to create the impression—and I do not mean wrongfully—that the Congress of the United States has left the President and other officials at liberty to use their official authority to interfere with elections.

Mr. JOHNSON of Colorado. It has not left them to do that; it has directed them to do so.

Mr. HATCH. I call the Senator's attention to section 2, where what he is mentioning is made a criminal offense; and in that section there are no exceptions whatever. The Senator may then continue in his line of argument.

Mr. JOHNSON of Colorado. Section 9 directs them to do that very thing; I am talking about section 9, and section 9 is the part of the law which I wish to have modified. It is the only part of the law which I do wish to have modified. It is the only part of the law in which I wish to have changes made. I am in complete accord with all the other sections. As I have said, section 9 is not in the interest of pure politics, it is in the interest, as I see it, of impure politics, and I believe the Senate should very seriously consider the provisions which appear in section 9.

The point which should be kept in mind is that an attempt is being made by the proposed legislation to do something about elections which are not held in Washington, but which are held in the States.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. Gladly.

Mr. BARKLEY. If I understand the effect of the Senator's amendment, it would be not only to make the pending bill, if enacted, ineffective in any State where no State law had been enacted on the subject, but it would also apply to section 9 of the present law, so that the present statute would not be effective in any State unless and until the State adopted a similar law with respect to its employees. Is that true?

Mr. JOHNSON of Colorado. That is true as to section 9 only. Section 9 would not be effective in any State unless the State passed a law to make its provisions apply to their employees and officers.

Mr. BARKLEY. Section 9 is regarded by many people as really the heart of the present Hatch Act.

Mr. JOHNSON of Colorado. It is not so regarded by the Senator from Colorado. The Senator from Colorado regards section 9 as a cancerous part of the Hatch Act and not the heart of it at all.

Mr. BARKLEY. There is a difference of opinion as to that. I ask the Senator whether he knows of any other Federal law denouncing certain things as unlawful the enforcement and application of which is made dependent upon the act of the legislature of a State in passing a similar statute?

Mr. JOHNSON of Colorado. Yes; I think amendment 21 to the Constitution of the United States does that very thing. That amendment makes certain things unlawful. It sets up and prescribes what the States shall do and what the Federal Government shall do in regard to prohibition, and it states that certain things are unlawful.

Mr. BARKLEY. That is based, possibly, upon the theory of the commerce clause of the Constitution in regard to the transportation of liquor from one State to another, and so forth, as affecting the laws of a State which has adopted prohibition. But we might say the same thing might apply to our automobile statute. There is a statute on the books making it a Federal crime to steal an automobile and transport it into another State. There is also a law making kidnapping a Federal offense. It seems to me that the Federal Government cannot pass a criminal statute, or a penal statute of any sort, and make such law applicable only in a State whose legislature passes a similar law pertaining to its own employees or any other group of citizens.

In other words, the universality of a Federal statute denouncing anything as unlawful should not depend upon the whims of any legislature, or of any State authority, and particularly is that true where the statute which the Senator seeks to amend applies only to Federal employees. We undoubtedly have the right to regulate the conduct of Federal employees, and such regulation, it seems to me, should be universal. If we should say that while we have the right to regulate Federal employees and their conduct in elections or otherwise, such regulation shall not apply in any State unless the legislature has placed the same regulation and restriction upon its own employees, there would be lacking the universal application of the law which there should be. There would be a spotted application.

Mr. JOHNSON of Colorado. Under the provision of my amendment the Hatch Act might apply in the State of Kentucky and not apply in the State of Ohio. It would all depend upon the citizens of the State of Kentucky and the citizens of the State of Ohio. In other words, we should have learned from the prohibition experiment that it is not possible to purify to a greater degree than the people of a State desire. There is no use trying to purify a State from Washington if the State does not want to be pure. We have to leave it to the people of the States.

Mr. BARKLEY. Will the Senator yield again?

Mr. JOHNSON of Colorado. I wish to cite another example, if the Senator will permit me. The Senator asked me a question a moment ago as to whether we had any law along this line. We do have such a law. The Congress adopted a formula in 1935, as I recall, in connection with unemployment-compensation insurance. The Congress passed a law assessing a tax upon employers and employees. Then it provided in that law that if any State passed an unemployment-compensation law, the employers and employees of such State could get 90-percent credit on the taxes they owed to the Federal Government.

Mr. BARKLEY. That is true, but it was not a penal statute; it was not a criminal statute. It was merely a statute based upon the theory that the Federal Government was putting up a certain amount of money, which was to be either matched or substantially increased by the taxes that would be levied by local legislation.

Our cooperative statutes have been based largely on the theory that they offered an inducement to the States to take similar action, such as our contributions to highways, which have to be matched by the States, and our contributions to old-age pensions, which have to be matched by the States.

Mr. JOHNSON of Colorado. Yes; and if a State does not do certain things, the Federal law is not operative in the State.

Mr. BARKLEY. No; it is not operative in the State under those circumstances.

Mr. JOHNSON of Colorado. That is the principle of this measure.

Mr. BARKLEY. I do not agree with the Senator that the same principle applies, because if a State is not willing

to make its contributions to old-age pensions, and to unemployment, and to highways, the Federal Government does not under that law feel obligated to go in itself and contribute money with which to build highways.

Mr. JOHNSON of Colorado. I say that if a State is not willing to clean up its politics, the Federal Government may go in and clean up a small part of its politics.

Mr. BARKLEY. Of course, that is a perfectly sincere opinion entertained by the Senator from Colorado. Sincerity characterizes all his opinions, and I respect him for his opinion, because I know his sincerity. But we are not dealing with a contribution made in order to induce a State to make a similar contribution to carry out a certain purpose. We are undertaking to deal with certain Federal employees, and the pending amendment, I think, would apply to State employees paid out of the Federal Treasury.

Mr. JOHNSON of Colorado. That is correct.

Mr. BARKLEY. But would it not be equally as logical to pass a law to limit the application of our statutes against counterfeiting unless a State also passed a counterfeiting law? Would not the same principle apply in that case?

Mr. JOHNSON of Colorado. I greatly respect the opinion of the Senator from Kentucky, as he well knows, but it seems to me that he is demonstrating the fanaticism with which this whole legislation is looked upon by some Senators and by the people of the country, when participation in a little caucus in one's own community is compared with the crime of counterfeiting and the crime of kidnapping.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. BROWN. Long ago we made the distinction which the Senator from Colorado is pointing out. When we refer to murder, to robbery, to counterfeiting, or crimes of similar character, we have in mind what the Senator from Kentucky well knows come within the Latin term "malum in se"—wrong in itself. But the kind of crime the Senator from Kentucky referred to is one which is a crime merely because it is prohibited.

There is not anything fundamentally wrong about one attending a caucus. There is not anything fundamentally wrong about being a delegate to a county convention. As a lawyer, the Senator from Kentucky knows there is nothing in the nature of crime in such an action. We are not talking about crime. We are talking about a prohibition against a legitimate political activity. When we come to the question of an illegitimate, or pernicious, or unlawful political activity, we are not talking about anything that is prohibited in the section to which the Senator from Colorado is referring.

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. BROWN. I yield.

Mr. BARKLEY. I do not, of course, claim to be as good a lawyer as is the Senator from Michigan—

Mr. BROWN. I admit that the Senator is a much better lawyer than I am, so he does not need to claim it.

Mr. BARKLEY. I recognize the difference between things which are offenses because they are prohibited by some statute and things which are bad within themselves. It may be—that I concede—there is nothing fundamentally wrong or immoral or bad in attending a caucus or a convention. If there were, then I would be a notorious criminal.

Mr. BROWN. The Senator would be in jail for a long time.

Mr. BARKLEY. I have attended many of them. But there is a vast difference between going to a caucus or a convention of your own accord, when you have been chosen by those who have power to choose, and the thing which I think is malum in se, so far as this particular legislation is concerned, and which is the objective of the bill introduced by the Senator from New Mexico originally, and the bill introduced by him now; that is, the power of someone to influence or coerce, either by domination or by threat, the exercise of the right of suffrage.

Mr. BROWN. Mr. President, will the Senator yield at that point?

Mr. BARKLEY. I will yield in a moment. I do not think that the stealing of an automobile and its transportation from one State to another can have so damaging an effect upon our political institutions and upon organized society as the power of some man to say, "Unless you vote as I tell you to vote, or unless you make a contribution to some campaign you cannot hold a position under organized society." I do not believe that I am exaggerating the effect and the evil results of this sort of a situation, and it cannot be minimized merely by comparing it to voluntary attendance at a caucus held in a courthouse, or voluntary attendance as a delegate at some function.

Mr. BROWN. Mr. President, the Senator from Kentucky, like the Senator from Massachusetts and the Senator from Georgia, whenever he discusses the question of prohibiting political activity, gets into a discussion of political activity which is illegitimate, which is pernicious, which is wrong. I do not believe there is any Senator present who is not willing, by statutory action, to condemn that kind of political activity, although, to make myself perfectly clear, there is a good deal of objection to having it done in the States by the Federal Government. But, as the Senator in the latter part of his remarks pointed out, in attempting to prevent iniquitous practices on the part of some officials who might be guilty of improper or pernicious political activity, the Senator from New Mexico and the Senator from Kentucky attempt to condemn all political activity.

Perhaps the term "all" is a little too inclusive, but they certainly condemn many political activities which are entirely proper.

It can be conceived that a collector of internal revenue whom the Senator from Kentucky has recommended to the President, and who has been appointed to office, would of his own volition desire to attend a political convention. It is conceivable that the United States district attorney at Grand Rapids, Mich., who was confirmed upon my recommendation by the Senate day before yesterday, might want to make a political speech in behalf of the Democratic Party. It is my contention that the effort to bring all persons connected with the Government within this prohibition does more injury and damage than good.

I think, as the Senator from Maryland [Mr. TYDINGS] well said the other day—and it was somewhat along the line of my own thought—that the Senator from New Mexico should take advantage of the opportunity of deferring this matter for a few days, or a couple of weeks, in order that he might attempt to define the iniquitous, the pernicious, the improper activities which are always referred to by Senators when they discuss this situation.

The Senator from Colorado and myself and others are talking about political activities which have for 150 years been considered entirely legitimate, which it is now proposed to strike down because some persons perhaps have used their powers improperly.

Mr. BARKLEY. I do not wish to take the time of the Senator from Colorado—

Mr. BROWN. I think he is willing to have the Senator take all the time he wants to take.

Mr. BARKLEY. I wish to observe that it is difficult to define by language in a statute even the word "pernicious" as applied to politics, and we all know that "pernicious political activity" is a flexible term, and its interpretation depends upon the facts of each case.

We have thousands upon thousands of rural mail carriers all over the United States; and once in a while one of them who is naturally politically inclined gets into trouble because he has been charged with talking to the patrons on his rural route about some candidate for office, and someone makes a charge against him of pernicious political activities. An inspector is sent out to examine the facts and make a report to the Civil Service Commission and to the Post Office Department. In every case of that sort the "perniciousness," if I may coin such a word, depends upon the facts as they are found in the particular case. So it is utterly impossible in a statute to define "pernicious political activity."

If my collector of internal revenue and the Senator's collector of internal revenue are to be allowed under the law to go as delegates to a convention, why not allow their deputies also to go? They are American citizens, and they hold only a minor office under the collector of internal revenue. If the deputy is allowed to go because the collector is allowed to go, how much influence ought the collector to be allowed to exert over his deputy as a delegate to the convention? The deputy may not happen to favor the candidate favored by the collector; and if the collector desires to put on pressure under threat that "unless you vote as I want you to, for my candidate, your job will be terminated tomorrow or at some other time," how are we to control the distinction between the right or the obligation and the moral question? I think a moral question is involved. I am not dogmatic on the subject, but it seems to me that a moral question is involved. Where are we to draw the line between the collector and the deputy collector, or between the United States marshal and the deputy marshal, or between the district attorney and the assistant district attorney? If we cannot draw a line of distinction between them, how can we draw the line as between any of the others who are subject to appointment?

Mr. BROWN. Mr. President, I wish to bring one point to the Senator's attention, and then I shall subside.

Mr. JOHNSON of Colorado. Mr. President—

Mr. BROWN. The Senator from Colorado has the floor.

Mr. JOHNSON of Colorado. I wish to reply to the argument submitted by the Senator from Kentucky. I am in favor of letting the people decide the question. If they want to send an internal-revenue collector or his deputy to a convention, I am willing for them to decide the question. I do not think we ought to decide it in Washington.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. BROWN. I think the Senator has made a very good reply.

I call the attention of the Senator from New Mexico [Mr. HATCH] to the fact that he has drawn the line in his bill. He would permit the Senator from Kentucky, ALBEN W. BARKLEY, to go to a convention, but he draws a definite line of distinction between him and the collector of internal revenue whom the Senator from Kentucky may have recommended for appointment. In my own consideration of this matter I cannot see why we should condemn the collector of internal revenue, whom the Senator has recommended for appointment, and not condemn the Senator himself. The Senator is just as likely to be guilty of that type of politics as is the collector. Of course, I am only using the Senator as an example.

Mr. BARKLEY. I understand that. I am probably subject to the same temptation. If the collector happened to be a delegate, and I wanted to "put the screws" to him in order to compel him to vote my way in the convention—

Mr. BROWN. I do not think the Senator would do that.

Mr. BARKLEY. No; but I could do it, and I would be subject to the same sort of temptation.

However, there is another difference, if the Senator will permit me to restate it. It has been stated over and over again. I think we are consistent in the attitude that we not only have a right but we owe a duty to the people to present to the people their cause, and the manner in which we have performed our duties.

That is a duty which we owe to the people, because they choose us. But they do not choose the collector or the deputy collector; and if the collector, the deputy collector, and all the others are to be permitted to exercise political influence and take part in politics, why not repeal the law which prevents rural mail carriers from engaging in political activity? I dare say the average rural-mail carrier has more influence on his route than have all the politicians in the State.

Mr. BROWN. How about the sheriff of the county? He is in exactly the same position; but his is an elective office.

Mr. BARKLEY. We are not dealing with the sheriff of the county.

Mr. BROWN. Oh, yes.

Mr. BARKLEY. No; we are not attempting to deal with the sheriff of the county.

Mr. BROWN. If he were an executive officer the law would apply to him. Perhaps it would not apply to the sheriff, but it would apply to the county engineer, who is elected.

Mr. BARKLEY. Not in most cases.

Mr. BROWN. That happens to be true in my State.

Mr. BARKLEY. In my State county engineers are appointed.

Mr. BROWN. Mr. President, I do not wish to take any more time.

Mr. JOHNSON of Colorado. Mr. President, I thank both Senators for the contributions they have made to the debate. I wish to get away from legalistic questions. I am not competent to debate them in a chamber full of constitutional lawyers. I know very little about the law; but I do know something about the farm, and I know something about how natural laws apply.

My home county in Colorado is away out in the sagebrush, but we have grain fields. We have prairie dogs, and we have coyotes. The prairie dogs eat the grain, and the coyotes eat the prairie dogs. Normally the coyotes eat enough of the prairie dogs so that there are not enough prairie dogs to do much harm to the grain. That is the way it used to work.

Then the ladies decided that they wanted to wear pretty furs—imitation mink and other furs made of coyote hides—and the hunters, trappers, and coyote poisoners went into that section and killed off most of the coyotes. When they did that the prairie dogs increased and destroyed the crops, and the people had to move out of the region. The hunters destroyed the even balance which nature had provided. Nature has provided that kind of balance in many ways. We are destroying that balance by legislation of this character. We have city machines, State machines, and Federal machines, or are supposed to have them; but when we destroy the Federal machine we make the city machine or the State machine more powerful, and do not purify politics at all. We simply change the power from the Federal machine to the municipal machine or the State machine.

Last week a Senator gave me a good illustration of how such a thing works. The particular Senator to whom I refer is one of the most able Senators in this body, a very distinguished Senator and a man of unquestioned integrity and honesty. He has fine ideals and the courage to state those ideals in many ways and on many occasions. It is not necessary to mention the name of the Senator, and it is not necessary to name the State from whence he comes, except that I will say that the State is not Colorado.

This is the story the Senator told me: He said he was running for renomination in a Democratic primary which was to be held in September. In his State was a very large city presided over by a mayor who belonged to his party. This mayor, like many mayors, was ambitious and wanted to control more than merely his little municipality. He wanted to control the whole State. He wanted to have in Washington the kind of Senator who suited his purposes. He had no fault to find with the integrity of the Senator who was serving in Washington. He could not find any fault with him or his ability to represent his State well, because the Senator was doing a splendid job. However, the mayor did not like him, because he was not a cog in his little municipal political machine, and he wanted to replace him by one of his own henchmen. So he set about to defeat the Senator and unseat him in the Democratic primary.

The Senator sent word to the mayor. He said, "I understand you are about to declare war. That is perfectly all right. Perhaps war should be declared. However, I want you to understand that in this war, if it is declared, there will be two battles. The first battle will occur in September at the Democratic primary, and the second battle will occur next spring when the city in which you live nominates and elects its next mayor. You have a powerful machine. It is recognized, and I recognize it. Perhaps you can win the battle against me in September; but I want you to understand that in the second battle I shall have a machine."

While I do not now have a machine, I shall start out and organize a machine of Federal employees—and there are many of them in your city—and in the second battle you will have to look after yourself."

The mayor was a pretty smart politician. He could see the point well enough. So he said, "All right; we will not have any war," and the Senator did not have to organize a machine to fight a machine.

That is the kind of situation we are up against in connection with the proposed legislation. We talk about destroying a Federal machine; but when we destroy the Federal machine we make the city machine or the State machine that much stronger. We do not get away from machine politics by such action. We simply transfer the machine from one unit of government to another. That is the whole difficulty with this kind of legislation; and that is the very thing that the amendment I have offered seeks to correct.

If I were writing the Hatch bill, which we have before us, I think I could reduce it to one paragraph of four or five lines. This is all I should put in it:

It shall be unlawful for any branch of the Federal Government to allocate any Federal funds to any State or any agency of any State unless and until that State by law shall adopt all the provisions of the original Hatch Act.

That is the way I should write the second Hatch Act. Coercion? Of course it would be coercion. It would be the same kind of coercion that the Congress of the United States wrote into the Unemployment Compensation Act. It would be the same kind of coercion that is written into the second Hatch measure—a little more extensive, a little more effective, but exactly the same principle of coercion. If we are to coerce the States, why not coerce them effectively? If we want to get rid of machine politics, why not coerce the States to get rid of machine politics, instead of following the line of the present Hatch Act?

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I gladly yield to my colleague.

Mr. ADAMS. I am wondering if the Senator's amendment may not have been suggested by the statement made by the majority leader a few days ago. The majority leader made this statement on the floor:

Mr. President, I am for this bill. I am for it because it undertakes to place on the same footing all employees who draw their salaries from the Government of the United States. I do not think it is fair to tie every Federal employee to a tree and allow every State employee who draws his pay from Washington to roam at large over the woodlot, play politics, exercise his influence, and bring about intimidation or coercion in State highway departments, among old-age pensioners, or among those who are unemployed and who are looking to Washington and their State capitals for relief from unemployment.

As I understand, the Senator's amendment is an effort to carry out the suggestion of the Senator from Kentucky that there should not be a rule applied to Federal employees which does not apply to State employees. The Senator from Colorado is reaching it simply by a different method. He is saying in a negative way that the Federal employees shall not be tied to a tree if the State employees are not also tied. The Senator from Kentucky says, "Well, we will tie the Federal employees"—and they are tied—"and then we will penalize the State if an employee violates the provision as to State employees."

I merely wondered if that is not the purpose. I am thoroughly in accord with the views of the Senators from Kentucky, one of whom seems to be missing, that we should eliminate pernicious activities in politics, and I will say that I look to the Senators from Kentucky for wisdom and for learning and for experience—

Mr. JOHNSON of Colorado. And especially experience.

Mr. ADAMS. Because in my State we have not had such conditions. When I ran for the Senate at the last election there was not even a complaint filed with the committee investigating the election as to the conduct of affairs in Colorado. Apparently in Kentucky the Senators there and others realized how terrible it was to have State and Federal employees taking part in politics. I know it was said openly; I know what the report shows. So I yield to the experience of

the Senators from Kentucky, willing to follow them and only ask them to go the whole way, and say that we will apply the same rule to the State employees as to the Federal employees. It is quite as iniquitous for a State employee to go to a political convention as for a Federal employee to go. I am not debating the bill. Probably I shall follow my colleague in voting on the bill, and I desire, as I say, to follow the wisdom and the experience and the recommendations of the Senators from Kentucky.

Mr. CHANDLER. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I thank my colleague for what he has said, because he has stated the case exactly and precisely. I now yield to the junior Senator from Kentucky.

Mr. CHANDLER. I thank the Senator very much. Since my name has been mentioned in the debate, as has also the name of my colleague, who is temporarily absent from the Chamber.

Mr. ADAMS. I trust the Senator realizes that I said nothing other than in the most complimentary way.

Mr. CHANDLER. I thank the Senator. He only mentions his fellow Senators in complimentary terms, for which I am very much pleased.

I can answer for myself that during 1938 many complaints came to the attention of the people not only in my State but all over the country. On both sides accusations were made of playing politics and the use of Federal and State employees in the election.

I think the original Hatch bill proceeded on the assumption that employees of the Federal Government had a job to do, and one of the jobs was not to take part in pernicious politics. "Pernicious politics," of course, I can explain to the Senator, is when the fellow on the other side does something to you.

Mr. JOHNSON of Colorado. No; "pernicious politics" is when an employee attends a caucus.

Mr. CHANDLER. In the ordinary acceptance of the term as employed by politicians of the country, a fellow on the Federal pay roll who is for you may be doing a great service for the country and may be highly meritorious, but if he helps your opponent, that is "pernicious politics."

Mr. JOHNSON of Colorado. I am talking about the definitions appearing in the Hatch bill, the matter we have under discussion here, and "pernicious politics" is attending a caucus among your neighbors, attending a convention—

Mr. CHANDLER. I doubt if it goes that far.

Mr. JOHNSON of Colorado. Attending a convention and running for office. That is what "pernicious politics" is.

Mr. HATCH. Mr. President, will the Senator yield to me for a moment?

Mr. JOHNSON of Colorado. I have yielded to the Senator from Kentucky, and when he concludes I will then yield to the Senator from New Mexico.

Mr. CHANDLER. The view I have—and I think that view is also shared by my colleague—is that when the Federal employees are knee deep in politics at the special instance and request—and I might go further and say at the direction of many of those who are at the head of bureaus and boards and commissions in the city of Washington—they are engaged in pernicious political activity. I was asked why I did not complain when one of my fellow citizens was proposed for a position in the Cabinet of the President of the United States, and I said, "Why should I complain about this man because when he was asked, 'Did your boys play politics in Kentucky,' he said, 'Why, when they set in on us we caved in.'" That was as good an answer as anybody on earth could give to the charge that he had been playing politics.

When someone came to Kentucky and asked me if State employees were helping me, I said I thought so. He said, "Is everyone helping you?" I said, "Everyone I know anything about." I was honest and straight about it; I did not deny that all the State employees in Kentucky were doing everything they could in my behalf. I think they were.

Mr. JOHNSON of Colorado. If they were not, the Senator would have discharged them, would he not?

Mr. CHANDLER. I would have considered it. I do not say I would but I certainly would have considered it. [Laughter.]

The official in Washington who has charge of a great governmental agency said when the politicians sat in on his organization his organization caved in; that is, they played politics, and in playing politics they were spending the money of the people of the United States, the taxpayers of the United States, appropriated by the Congress of the United States in order to give work to men and women who had no jobs and who were hungry. We had a right to protest that, and it was protested not only in Kentucky but all over the United States.

I did not know then, I will say to the Senator from New Mexico, that I would ever be a Member of the United States Senate, but I have no right to become a Member of the Senate of the United States and say to the Federal employees, "You are employed and are paid from the money appropriated by Congress and obtained from the taxpayers of the country to do a job for the people of America, and you cannot belong to political organizations and contribute 2 percent or some other percentage of your money in order to elect somebody to public office in the United States," and then say to State employees who are paid in whole or in part by the Federal Government that they may do as they please. I have no fear about my present situation in my State; the Governor of my State is my very good friend. He served for years as Lieutenant Governor. I sponsored him in his campaign; I stood by him and urged his election and said to the people that if he was elected I felt that he would make them a great Governor; and I am glad to say he is making them a great Governor. But I have no right now to say that I want Federal employees, as my colleague said, muzzled and tied to a tree and that I want everybody else free. I am for this bill on a broader ground; and I think some of my colleagues have missed the broader ground—

Mr. JOHNSON of Colorado. I want to broaden the ground a little.

Mr. CHANDLER. And that is that the people of the United States, in general, I will say to the Senator, are weary of spending the money of the people of the United States for politics—pernicious politics—to perpetuate men or systems or machines in office. I read an article in a home newspaper this morning which said, "If the Hatch bill passes it will virtually eliminate the playing of politics not only by the employees of the Federal Government but by employees of the States who are paid in whole or in part by the Federal Government"; and the article also said the passage of the Hatch bill would free 16,000 workers who would like to go about their business and not feel that they were compelled to contribute or required to be present at political meetings. They will still be for you if they are for you; but the people are sincerely desirous, in my opinion, of bringing about a condition in the politics of the country. The Senator from Michigan yesterday said the bill is a sword; I say it is a shield. I say that the elections in the future—the people of the several States and of the whole country would like to have the elections returned to them, so that they may decide them, without the expenditure of billions of dollars of money of the people of the United States to influence and control elections.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I will yield as soon as I finish an observation. I am in wholehearted accord with what the Senator from Kentucky has said, and the purpose of my amendment is to broaden this measure, to get rid of political machines. The Senator from Kentucky says he is not afraid of the machine in Kentucky, for his friend operates it.

Mr. CHANDLER. That is not the reason, I will say, why I am for the bill. I did not assign that as the reason.

Mr. JOHNSON of Colorado. The Senator misunderstood me. I understood the Senator to say he did not want to broaden it.

Mr. CHANDLER. I want to broaden it, so as to cover municipalities and everybody that shares in the distribution

of Federal funds. Of course the Senator from New Mexico is not going to go so far as that; a practical proposition, for if he included the heads of departments and Cabinet members he might have the President against his bill. The Senator wants to pass his bill. I am willing to vote them all in except the President, and I said the other day that in 1938 I would have been willing to vote to put him in; but now I am not willing to go that far. I would, however, go far enough to put in everybody else who spends the money of the people of the United States for politics and in order to perpetuate himself in office.

Personally, I do not have to be in office. I have had all the offices my people have to give to one man; and I want to try to cast my vote so that I will protect our vanishing money. We have already spent more money than we have, and none of us knows where to find the money to pay our bills. We cannot continue to spend it just to elect people to office.

Mr. JOHNSON of Colorado. How about the State employees in the Senator's State?

Mr. CHANDLER. After this bill passes there will be no State employees of any consequence left.

Mr. JOHNSON of Colorado. There will not be any State machine?

Mr. CHANDLER. There will not be any effective political State machine in my State if this bill is passed. It will take the highway department, it will take the old-age pension department, it will take the unemployment-compensation department, and there will be virtually nothing left.

I make the prediction that if this bill is passed—and it ought to pass—the States will immediately put all of their people in the same position. You are asking them in advance to do something, but they will do it. The law sponsored by the Senator from New Mexico was a vision. I believe the Senator from New Mexico saw in advance, sooner than any of the others of his fellows, what the people had in mind and how weary they had grown because of the bad treatment they had received. If this bill passes—and it ought to pass—as soon as the legislatures of the several States can get to it, they will make it just as effective in regard to the people who are left.

Mr. JOHNSON of Colorado. That is the very thing the Senator from Colorado wants to do. The Senator from Colorado favors the passage of the pending Hatch bill.

Mr. SMATHERS, Mr. ADAMS, and Mr. HATCH addressed the Chair.

Mr. JOHNSON of Colorado. I yield first to the Senator from New Jersey.

Mr. SMATHERS. Mr. President, I should like to ask the Senator from Kentucky a question. If both of the distinguished Senators from the State of Kentucky are as powerful in the State of Kentucky as I believe they are, and both are now friends of the present Governor, and they want a Hatch Act in the State of Kentucky, why do they not go to the Legislature of the State of Kentucky and ask to have it enacted by that august body, which can very properly write a Hatch Act for the State of Kentucky, instead of coming to the Congress of the United States and asking us to legislate for the State of Kentucky?

Mr. HATCH. Mr. President—

Mr. JOHNSON of Colorado. I now yield to the Senator from New Mexico.

Mr. HATCH. There were two or three things I had in mind when I asked the Senator to yield.

First, he said that an employee could not attend a caucus of his neighbors. I wonder where the Senator gets the authority for that statement.

Mr. JOHNSON of Colorado. It is in the Hatch Act, as I read it.

Mr. HATCH. Has the Senator read the opinions of the Attorney General covering the act?

Mr. JOHNSON of Colorado. I have read the opinions of the Attorney General, but I go to higher authority than that. I go to the Hatch Act itself.

Mr. HATCH. The Attorney General of the United States is reasonably good authority for interpreting a provision

which will be applied by the different departments, and by them alone.

Mr. GUFFEY. It is a good provision, is it not, until the Supreme Court passes on it?

Mr. HATCH. I will answer the Senator from Pennsylvania in a moment if I have time.

Mr. JOHNSON of Colorado. I do not want to argue these legalistic opinions.

Mr. HATCH. The rulings of the Civil Service Commission over a period of 50 years, interpreting exactly the same language, ought to be reasonably good authority.

Mr. JOHNSON of Colorado. Does the Senator contend that under the Hatch Act an employee of the Federal Government may run for office?

Mr. HATCH. No, sir; that was not what I asked the Senator. He may not do so, and he should not do so; but the Senator made the statement that he could not attend a caucus of his neighbors. Such extreme statements have been made on the floor that I want to tie down some of them.

Mr. JOHNSON of Colorado. I think that is a true statement. From my reading of the act, if I were a Federal employee you would never get me into any caucus.

Mr. HATCH. Has the Senator read the rulings of the Civil Service Commission?

Mr. JOHNSON of Colorado. Yes.

Mr. HATCH. If the Senator had done so, he would have found in them their permission, given to all employees in the classified civil service, to attend.

Mr. JOHNSON of Colorado. The Civil Service Commission does not pass the laws of Congress.

Mr. HATCH. I am referring to a law of Congress, in exactly the same language, passed in 1873, and interpreted by the Civil Service Commission. Senators should not beg the question. They know that is a reasonable interpretation; but there is something more that has been said here to which I wish to call attention.

On yesterday a great deal of argument was made—

Mr. JOHNSON of Colorado. I object to the Senator replying to everybody on the floor of the Senate in my time.

Mr. HATCH. Very well; I will wait and discuss the matter in my own time.

Mr. JOHNSON of Colorado. That is fine. I want to get through.

Mr. HATCH. But I do want to mention these extreme statements.

Mr. JOHNSON of Colorado. I now yield to the Senator from Colorado.

Mr. ADAMS. Mr. President, while we are mentioning the Civil Service Commission I think the Senator perhaps has overlooked the reasonableness of the discrimination of the Civil Service Commission. They provide that employees are prohibited from organizing political parades, but they may march in the parades. [Laughter.] That is subdivision 12 of this pamphlet.

I just wanted to add a word along the line of the Senator from Kentucky.

Mr. MINTON. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield to the Senator from Indiana.

Mr. MINTON. There is another provision of the rulings of the Civil Service Commission that will permit employees to attend meetings as a spectator, but that is all they may do.

Mr. ADAMS. That ought not to be allowed.

Mr. President, the junior Senator from Kentucky [Mr. CHANDLER] as well as the senior Senator from Kentucky [Mr. BARKLEY] commented upon the demand which had swept through the country to eliminate officials from control of activity in politics.

Mr. CHANDLER. Officials who spend the money of the people.

Mr. ADAMS. In the Hatch bill we are talking not about spending money but about political activity. That perhaps has something to do with spending money, but more probably it has not. In other words, if the street sweeper in the city

who happens to be brought within this measure wants to become a candidate to a convention, and wants to go to a political meeting and make a speech on his own time in the evening, under this situation he is prohibited from doing so. That does not involve spending money. What we are reaching out for under this measure is to prohibit any influence, any activity, any participation in the actual management of politics or the conduct of political campaigns by persons who hold public positions.

What I am coming to in my further acceptance of the views of the Senator from Kentucky is recognizing, as he declares, that the public feel that the elimination of office-holders from political activities is a thing which they wish. Whether it be right or wrong, the Senator feels that that is the desire. If that is the desire in Kentucky, and if it is the desire in other States, I think we may trust the legislatures to do the thing that the people want. What the junior Senator from Colorado is trying to do is to carry forward this movement—reform if it be—at one time; to carry it forward fairly; to take out the Federal employees, take out the State employees, take out the municipal employees, take them all out at the same time, and to say that you may not take out one group of these employees and leave the others free to go.

In my State the present supplement to the Hatch Act will take out some State employees. It will not take out others. I have assumed that if, as a matter of statute, funds were given to a department of the State we could not turn over to a commission the authority to take money back from them. In other words, we prescribe by statute a statutory formula for the apportionment of highway moneys. I do not believe we can turn over to the Civil Service Commission authority to take back, as a penalty, moneys which we have given by statute. In other words, it would perhaps leave free the great highway organizations, and perhaps others.

The cities are practically not brought in by this amendment to the Hatch Act. In other words, it is limited to such employees as are exercising functions in connection with some agency financed by the Federal Government. That includes a very small part of the city group. I do not like to draw invidious comparisons; but, if there is any rating, the city organizations will not rate at the top from the standpoint of a test for political purity, and yet the city organizations will be left freer from control than any other. It is proposed to take out all of the Federal Government and a part of the State, but practically none of the city. I think that is inverting the situation rather than improving it; but I come back to the one thing.

Mr. JOHNSON of Colorado. And when we destroy the Federal so-called machine, do we not at the same moment increase the size and the power of the city machine?

Mr. ADAMS. I will say to the Senator from Colorado that I think the Hatch bill as it stands today means turning over to the great cities of the United States the domination of the United States, the nomination of candidates for President, the nomination of candidates for Governor, the control of politics in all the States which have great cities. I think that is the inevitable result. Now, that may be desirable. I am merely pointing it out as what I think is a fact.

Mr. JOHNSON of Colorado. That is exactly in line with my thinking, too.

Mr. O'MAHONEY and Mr. CHANDLER addressed the Chair. The PRESIDING OFFICER. Does the Senator from Colorado yield; and if so, to whom?

Mr. JOHNSON of Colorado. I yield first to the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, if I may have the attention of the Senator from Colorado and of the Senator from New Mexico, I should like to explain in a few words, if I can, what seems to me to be the underlying difficulty in this whole controversy.

Perhaps it will not be inappropriate for me to begin my statement by recalling that when the Senator from New Mexico offered his first amendment, the so-called Hatch

amendment, to control W. P. A. expenditures, he had no more unreserved supporter than the Senator from Wyoming.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Certainly.

Mr. HATCH. I can certainly corroborate what the Senator has said; he not only supported the amendment unreservedly, but, I may add, enthusiastically, and very helpfully.

Mr. O'MAHONEY. Exactly; I am glad to have the Senator say that, because there never was the slightest doubt in my mind that the funds appropriated by the Federal Government for the relief of the unemployed and of the distressed should not be diverted in any possible way for political purposes. It was for that reason that I gave my enthusiastic support to the Senator from New Mexico in the attempt, at that memorable session of Congress in 1938, to secure the adoption of that safeguarding provision.

On the other hand, when the Senator from Arkansas [Mr. MILLER] offered his amendment to eliminate section 9 from the Hatch law, I supported it, and I know that the Senator from New Mexico could not understand at the time why I supported that amendment.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HATCH. I may say to the Senator from Wyoming that which I say to every other Senator on the floor; I may not understand why a Senator votes the way he does vote, but I know that every Senator, and especially the Senator from Wyoming, had what he believed to be ample and sufficient reason for casting the vote he did cast.

Mr. O'MAHONEY. I appreciate the Senator's kind remarks. Now I say to the Senator from Colorado [Mr. JOHNSON] that I cannot see my way clear to support his amendment.

Mr. JOHNSON of Colorado. That is a very great disappointment.

Mr. O'MAHONEY. The very reason which actuated me in voting for the Miller amendment is the reason why I cannot vote for the amendment of the Senator from Colorado.

I am inclined to believe that frequently we take the will for the deed. There is no question that the purpose of the sponsor of the original Hatch bill is a high and noble purpose, and one which should be carried out. The question is, however, does the language here effectuate the purpose which the Senator has in mind? I will explain why I think it does not.

The Senator from Colorado would release from the provisions of section 9 of the present Hatch law all Federal employees in States which do not have a similar law. What are the provisions of section 9? There are, in section 9, two separate provisions, and they are debated as though they were one. There are two prohibitions, and all who are discussing this question seem to imagine that there is only one prohibition in section 9. This law has been advertised all over the Nation as the "clean politics" law, in the assumption that it would prevent abuses. Let us read the first sentence of section 9 of the present law, to see if it would have that effect:

It shall be unlawful for any person employed in the executive branch of the Federal Government, or any agency or department thereof, to use his official authority or influence for the purpose of interfering with an election or affecting the result thereof.

Mr. President, I do not think anyone can deny that that is a sound provision. No public servant should use his official authority for the purpose of influencing an election. Public office is a public trust, as one great Democrat once said. It is not a partisan trust. Public officers owe their first allegiance to all the people.

Mr. JOHNSON of Colorado. I should like to have the Senator read section 2.

Mr. O'MAHONEY. I shall read it in just a moment.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. JOHNSON of Colorado. The Senator from Colorado has the floor, and the Senator from Colorado yields to the Senator from Connecticut.

Mr. MALONEY. I merely wish to say at this point that I am in hearty accord with the statement just made by the Senator from Wyoming, and I have been anxious to have a chance to say this, because in the discussion of an amendment which I offered a day or two ago I stated that my purpose, in part, was to defeat the Hatch bill. Lest there be any misunderstanding, I have been anxious to have this opportunity of saying that I do approve that part of the Hatch law, and subscribe entirely to the statement just made by the Senator from Wyoming.

Mr. JOHNSON of Colorado. I desire to say also that if section 9 went that far and then stopped, the junior Senator from Colorado would also agree with it; but unfortunately it does not do that.

Mr. O'MAHONEY. Mr. President, if I may trespass a little further on the generosity of the Senator—

Mr. ADAMS. Mr. President, may I intrude to make a suggestion?

The PRESIDING OFFICER. Does the junior Senator from Colorado yield to his colleague?

Mr. JOHNSON of Colorado. I yield.

Mr. ADAMS. The Senator could reconcile the situation if the amendment of the Senator from Colorado were limited so that the provisions of the second sentence of this section should not apply.

Mr. O'MAHONEY. The Senator anticipates exactly the point I am seeking to make. I want to make it clear that there are two prohibitions contained in section 9. The first is a prohibition against the use of official authority.

Mr. President, no person who is elected to any public office should for one moment be permitted to use his "official" authority or influence for the purpose of affecting the outcome of any political campaign, whether that political campaign is a Federal campaign, or a State campaign, or a county or a city campaign. When a public official uses his official authority, he is using the power that is vested in him by the law of the land for the service of all the people, and that power should never be prostituted for any partisan purpose.

Mr. SMITH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from South Carolina?

Mr. JOHNSON of Colorado. I yield.

Mr. SMITH. I am glad to hear the Senator from Wyoming voice such an emphatic denunciation of the use of a political office for the purpose of determining an election. I should like to have the Senator from New Mexico give his definition of pernicious political activity.

Mr. O'MAHONEY. Mr. President, may I finish my thought?

Mr. SMITH. I merely want to interject at this point that I knew a President who went into a homogeneous Democratic State and denounced a Member of this body as being an apostate to all the doctrines of democracy, despite the fact that that Senator held the endorsement of his people to the seat he occupied. That President went into other States and used his tremendous official power, the power of the office, the power of his prestige, the power which attends the Chief Executive of the Nation, and personally denounced members of our party, and indicated whom he would like to have to represent those States.

What is the use of our standing here and attempting to curtail the little fellow out in the country, a mere appointee, and say that he shall be removed from office, but leave out the greatest political office we are capable of giving a man, the Presidency of the United States, when a President uses his tremendous power to discredit a faithful member of the party to which that President allegedly belongs?

I know this does not interest some who may hear me, because I am getting to the crucial point of this whole matter. Why do we not incorporate a prohibition as to all officials, from highest to lowest? Why do we not condemn the Chief Executive of the United States who rides ruthlessly and roughshod over a lesser one politically—yes; get my meaning—a lesser one in office? Why, during a debate lasting for days, do we not hear a man on the floor mention the disgraceful

proceeding to which I have referred, the Chief Executive not only attempting to bring the Supreme Court to the point where he could dictate to them, but going into my sister State and denouncing one of the worthiest Members of this body as being an apostate to the doctrines of his country?

Why should we leave the President or his Cabinet out of this matter? If we are to curtail—abridge, as the Constitution says—the rights of citizens, let us not start on the poor fellow who cannot help himself, but let us go to the throne and say, "You shall not do it." If we are to be men and have clean politics, let us have a clean President and a clean Cabinet.

I know that it will be charged that I was one on whom the attempt was made; but that was not nearly so bad as in the case of the attack made on my colleague in Georgia. I am not making this statement because I feel strongly toward the person. It is the practice which I dread and fear. He is not the only one who ever did it. *De mortuis nil nisi bonum*. The other man is dead, but he did identically the same thing in my State—the great statesman, Woodrow Wilson. The evidence is documentary.

Let us be brave men. Let us clean house where the cleaning should be done.

I wished to refrain from calling attention to this matter, but I thought it was my duty as an American citizen to do so, believing in equal rights to all and special privileges to none, as the fundamental doctrine we are to live under if we continue to live. I was much intrigued by the vehemence of the Senator from Wyoming when he declared that all elected officers who indulge in pernicious political activity should be put under the same restraint as the ordinary little fellow.

Mr. O'MAHONEY. Mr. President, the Senator misinterprets the remarks of the Senator from Wyoming.

Mr. SMITH. Oh, yes, Mr. President. I thought the Senator from Wyoming would run. I thought he would. I see the Senator from Wyoming is beginning to hunt an alibi now. He does not want his restriction as to elected officers to apply to the Chief Executive.

Mr. O'MAHONEY. Mr. President, I think the Senator from South Carolina knows very well that the Senator from Wyoming never yet hunted an alibi.

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. SMITH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield; and if so, to whom?

Mr. HATCH. Mr. President, the Senator from South Carolina directed a question to me, calling me by name, and I desire to answer his question.

Mr. JOHNSON of Colorado. I yield to the Senator from New Mexico.

Mr. SMITH. What does the Senator denominate as pernicious political activity?

Mr. HATCH. The Senator from South Carolina has heretofore related somewhat at length certain conditions existing in this country, and he has praised the language of the law which forbids official interference with elections of all kinds, and I wish to say to the Senator from South Carolina that the language of the law to which he refers is my language. I wrote it. That language applies to the President of the United States, and it should apply to the President of the United States, no matter who he is or to what party he belongs. It was so intended. It applies to the Senator from South Carolina, and to me, and to every other Senator or official of the United States of America. It is made a criminal offense to violate that section of the statute. And more than that, the Senator from New Mexico has endeavored throughout the year to make it impossible for any President—I do not care whether it is the present President or one to be elected next time—to go into the Senator's State or the State of the Senator from Georgia and use the enormous patronage of his office to elect someone simply because he has that patronage and that influence. I want the people of South Carolina and the people of Georgia to choose their own representatives in this body and elsewhere. That is part of the purposes of the

legislation, and the Senator from South Carolina believes in such legislation.

Mr. SMITH. Of course, I believe in it if we are to have any at all.

Mr. HATCH. The proposed legislation is intended to do exactly the same thing. I have answered the question of the Senator from South Carolina, and have answered it directly, that I do not approve of coercion of the voters in a State by the President of the United States or anyone else. Now let the Senator ask that question of some of those who are opposing this legislation.

Mr. SMITH. Mr. President, I certainly feel that I have done a service to the United States by getting that frank expression from the author of the bill.

Mr. HATCH. I have said it many times on the floor of the Senate.

Mr. SMITH. I know the Senator has.

Mr. HATCH. And my actions carry out my words.

Mr. SMITH. Now, I wonder if the Senator from Colorado will allow me to interrupt him? I should like to hear the Senator from Wyoming give his reason why the statement that brought me to my feet did not include the President of the United States.

Mr. O'MAHONEY. Mr. President, I did not say that.

Mr. SMITH. Oh, I thought—

Mr. O'MAHONEY. Oh, no; the Senator was putting words in my mouth which I did not utter. I may remark that the Senator arose to his feet to make his comment while I was endeavoring to explain to the Senate the difference between the two activities which are prohibited by section 9, but which are confused as though they were one.

If the Senator will bear with me for a moment, I think that I shall be able to make my view clear and I shall then allow the Senator from Colorado to return to his own argument without further interruption from me.

I was saying, when I was so graciously interrupted by the Senator from South Carolina, that the first sentence of section 9 makes it unlawful for any person employed in the executive branch of the Government to use his "official" authority or influence, and I was stating my complete agreement with the prohibition.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I cannot yield until I have set forth the two objectives with which the section under discussion deals.

Mr. President, the second sentence of section 9 embodies a prohibition altogether distinct from that which is banned by the first sentence. It provides that no officer or employee in the executive branch of the Federal Government, or any agency or department thereof, shall take any active part in political management or in political campaigns.

It seems to me to be perfectly clear that a person in office may take part in a political campaign without using his official authority.

There is nothing wrong in managing a political campaign nor in participating in one. Political campaigns are a necessity in a democratic government, and a public officer has as much right to take part in a campaign as any private citizen so long as he does not use his official authority or influence to affect elections. There may be good reasons why public officers should not be permitted to take an active part in campaigns. One of these is the concept upon which the civil-service rule is based, namely, that a person who has been granted a position in the public service which is without term and is not dependent upon elections should not undertake to influence such elections.

However, the distinction between the use of official authority and participation in political campaigns has been clearly recognized; and I will say, since I see the Senator from Maryland upon the floor, that this very question arose in the Committee on Campaign Expenditures during the campaign of 1938 in connection with an incident that occurred in the State of Maryland.

Complaint was made to the committee that a collector of internal revenue had summoned his employees into his of-

fice and had instructed those employees as to what he wanted them to do. The Committee on Campaign Expenditures denounced that as an invasion not only of ethics but of the rules laid down by the Department of the Treasury and laid down by the Civil Service Commission. That, Mr. President, was the use of official authority for the purpose of interfering in an election, because that man brought into his office the employees of the Federal Government, who were under him, who perhaps owed their employment to him, certainly who had to look to him for any recommendation for promotions or for assignment work. And so when that official called those employees into his office and told them what he wanted he was violating this fundamental principle which prohibits the use of official authority.

Mr. President, it would have been an utterly and completely different thing if, after the office were closed, when the working day was over, that same collector of internal revenue had gone to a political meeting and stood upon the platform and made an argument for or against a candidate, because then he would not have been using his office time or his official authority.

Mr. TYDINGS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Colorado [Mr. JOHNSON] yield to the Senator from Maryland?

Mr. JOHNSON of Colorado. I have already yielded to the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, let me finish the sentence. These two concepts are mentioned in the two opening sentences of section 9. First, official authority shall not be used. Second, no employee shall engage in any active political work.

Then comes the closing sentence, which was properly described, I think, by the Senator from Arkansas [Mr. MILLER] as an escape clause:

For the purposes of this section the term "officer" or "employee" shall not be construed to include—

What?

the President and Vice President * * * persons whose compensation is paid from the appropriation for the office of President; heads and assistant heads of executive departments; officers who are appointed by the President by and with the advice and consent of the Senate, and who determine policies to be pursued by the United States in its relations with foreign powers or in the Nation-wide administration of Federal laws.

I have no doubt from what the Senator from New Mexico has just said that it was not his purpose to exempt any public official from the prohibition against the use of official authority, but it was his purpose to grant to the President, the Vice President, and the Cabinet members and the others named an exemption from the prohibition against participation in campaigns. The law is so drawn, however, that it grants an exemption from both prohibitions, and this defect is not cured by the amendment of the Senator from Colorado [Mr. JOHNSON].

Mr. TYDINGS, Mr. HATCH, and Mr. BARBOUR rose.

The PRESIDING OFFICER. Does the Senator from Colorado yield, and if so, to whom? The Chair has previously stated that the Senator from Colorado has the floor, but certain Senators seem to disregard that fact.

Mr. TYDINGS. Mr. President, will the Senator yield to the Senator from Maryland for a brief comment?

The PRESIDING OFFICER. Does the Senator from Colorado yield, and if so, to whom?

Mr. JOHNSON of Colorado. I shall be glad to yield in a moment.

The PRESIDING OFFICER. The Senator from Colorado declines to yield at present.

Mr. JOHNSON of Colorado. I will yield in a moment.

Mr. TYDINGS. I will wait.

Mr. JOHNSON of Colorado. I think the Senator from Wyoming [Mr. O'MAHONEY] has made a very constructive contribution in his analysis of section 9, and I wish to perfect my amendment in line with his suggestion, so that the first section of my amendment will read—

The PRESIDING OFFICER. Let the Chair suggest to the Senator from Colorado that only one portion of the printed amendment has been read. The amendment of the Senator from Colorado apparently comprises two separate amendments on two different questions, and therefore cannot be offered as one amendment.

Mr. JOHNSON of Colorado. The Senator from Colorado begs to differ with the Chair. It has already been ruled that this amendment is not divisible.

The PRESIDING OFFICER. The Chair is advised that the only ruling which has been made was as to the portion of the amendment which has been stated, which is the portion appearing in lines 1 to 8 on page 1 of the printed amendment.

Mr. JOHNSON of Colorado. It is all one amendment.

The PRESIDING OFFICER. The Chair is constrained to rule that there are two amendments, to different sections of the bill, and therefore they cannot be offered at the same time. The Chair does not think there is any question about the parliamentary status.

Mr. ADAMS. Mr. President, what the Senator is asking is to modify his own amendment, regardless of that question.

Mr. JOHNSON of Colorado. I wish to modify my own amendment.

The PRESIDING OFFICER. The Chair was calling the attention of the Senator from Colorado to the fact that only the first amendment has been stated.

Mr. JOHNSON of Colorado. Mr. President, we will not argue that point now. I wish to go ahead and perfect my amendment.

Mr. TYDINGS. Mr. President, while the Senator is looking at that—

Mr. JOHNSON of Colorado. I have it all before me now, and I wish to read it at this point. My amendment will now read, in line with the suggestion of the able Senator from Wyoming [Mr. O'MAHONEY]—

Mr. O'MAHONEY. In line with the argument of the Senator from Wyoming. I do not want to be responsible for an amendment or change which I have not yet seen.

Mr. JOHNSON of Colorado. I accept that amendment, too. This is the way the amendment reads, as perfected by the Senator from Colorado:

Sec. —. Section 9 of said act of August 2, 1939, is amended by striking out the period at the end of subsection (b) and adding the following: "Provided, That other provisions of this section except the first sentence shall not apply to officers or employees of the Federal Government—"

And so forth. Does the clerk have that language?

Mr. BARBOUR. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from New Jersey?

Mr. JOHNSON of Colorado. I wish first to yield to the Senator from Maryland [Mr. TYDINGS]. I am in complete accord with what the Senator from Wyoming [Mr. O'MAHONEY] has said about the first sentence, and I am in complete accord with what the Senator from New Mexico said about that sentence. I wish to preserve that sentence. What I have heretofore said about section 9 does not apply to the first sentence in section 9.

I now yield to the Senator from Maryland.

Mr. TYDINGS. Mr. President, I merely wish to keep the record straight. The comment of the Senator from Wyoming was most accurate as far as it went; but, in order that it may be completed, let it be said that after the Senate committee pointed out that the action of the collector of internal revenue in Maryland in calling in his entire office force of about a hundred men and in effect telling them to vote for one of the two candidates then running was in violation of the law and the rules of the Treasury Department. The Treasury Department said that according to its construction that was well within the collector's right.

In order to keep the record straight, let me also call the attention of the Senator to the fact that that collector is still in office. I do not want to bother him. He is welcome to stay there. But when high-sounding messages come from high authority it would be a good idea to back them up with some sincerity rather than merely utter a lot of pious words.

Furthermore, not only was the collector of internal revenue called to Washington, but the collector of customs over there was called to Washington, and they were told for whom to vote. They came to me with tears running down their cheeks telling me that they would have to vote for a certain opponent.

I should like to ask this question, and then I shall finish: Would it be a violation of political ethics to go into a State in the midst of a heated contest and there, in the presence of the other candidate, say that a bridge is to be built across a certain stream, even before the engineers have passed upon it, and that it must be started right away—as if the other candidate were doing it—and then, after the election goes the other way, for those who made those statements to require dynamite under them to get them to build the bridge?

My point is that all the fine words about making the people responsive in elections to their rights as defined by the Constitution are just so much finger snapping. If we want good elections, some corrections ought to be made as a result of the 1938 elections. We did not need such a law to make corrections. Some of those who are now so pious and on such a high pedestal had best look into their own actions, without telling others on a lower level how they should conduct themselves in an election contest.

Mr. JOHNSON of Colorado. I thank the Senator from Maryland for his contribution. I now yield to the Senator from New Jersey.

Mr. BARBOUR. The Senator from Colorado has changed his amendment. None of us on this side of the Chamber heard the changes. I ask that the clerk read the amendment.

Mr. JOHNSON of Colorado. I think the suggestion is a good one. I ask that the clerk read the perfected amendment.

The PRESIDING OFFICER (Mr. GILLETTE in the chair). The amendment, as modified, will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to add the following section:

SEC. —. Section 9 of said act of August 2, 1939, is amended by striking out the period at the end of subsection (b) and adding the following: "Provided, That other provisions of this section except the first sentence shall not apply to officers or employees of the Federal Government residing and voting in any State where State laws do not forbid the officials and employees of the State or local agencies of the general class above described from taking any active part in political management or political campaigns."

Mr. JOHNSON of Colorado. Mr. President, I thank the Senator from Wyoming [Mr. O'MAHONEY] for making his very constructive suggestion. I believe he has greatly improved the amendment I have offered.

Mr. O'MAHONEY. Mr. President, I have not improved the amendment.

Mr. JOHNSON of Colorado. No; I have. I take the glory and the honor. However, the Senator gave me the suggestion. His analysis was the basis for the improvement which I made.

Mr. O'MAHONEY. I thank the Senator.

Mr. JOHNSON of Colorado. I was quite interested in the debate which took place in regard to the purge. I was interested in what the Senator from South Carolina [Mr. SMITH] had to say about it, and what the Senator from Maryland [Mr. TYNINGS] had to say. I wish to say to those distinguished Senators that I claim the honor of being the first victim of the purge attempted by this administration. That was back in 1934. I did not have to wait until 1938 to read in the newspapers about what was happening in Georgia. I did not have to read the newspapers about what was happening in South Carolina, in Maryland, or in New York City. I knew, because I had some experience in 1934 which I wish to relate to the Senator from South Carolina.

I was a candidate for reelection as Governor on the Democratic ticket. A very fine lady opposed me, which she had a perfect right to do. So far as I know, she has never been in any Democratic caucus or any Democratic convention, or any other place where Democrats gather. Therefore, I suppose that, politically speaking, she was very pure. However,

in 1934 this very estimable lady was invited to the White House in Washington. She made a trip by air from Denver to Washington to attend a social function to which she had been specifically invited. From the White House she announced her candidacy at that social function.

Her campaign manager in that election was a very high official, an Assistant Secretary of the Interior, Mr. Oscar L. Chapman. He still holds the position. The lieutenants in her campaign were other Federal employees, and they carried on a very active campaign in my State.

When the election was over, and the votes were counted, it was found that she had carried only 1 county. I carried the other 62. The day after the election she came to Washington and was made Assistant Secretary of the Treasury.

So I claim the honor—if it be an honor—of having been the first victim of the attempted purges which took place in this country. It seems to me that the administration leaders might have learned a lesson from what happened in Colorado, but they did not seem to. I do not fear such things. I do not object to them at all, because the people will take care of them. We can leave such questions to the people in Colorado, and to the people in South Carolina, Maryland, Georgia, and all the other States.

In New York something else happened. It did not happen on account of the Federal machine in New York. That was not the factor which changed the result in New York as against the results in other States. What happened in New York was that the effective municipal political machine changed the result and made the purge a success in New York.

Mr. President, I do not wish to take up much more time of the Senate, except to say that the existing Hatch Act exempts the President, the Cabinet officers, assistants to Cabinet officers, their secretaries, and the Diplomatic Service. It does not affect them. They are exempted. They are left out. I do not for 1 minute believe that they were left out because the Senator from New Mexico wanted them left out. I believe he would have included them, and that he would not have made such exemptions had he had his way about it. But they are exempted. We talk about pure politics, and about the Hatch Act being an act for pure politics, and yet we leave those exemptions in section 9.

Mr. President, I heard what the Senator from Florida [Mr. PEPPER] said the other day about an assistant to an assistant somewhere in the Department of Justice, a man by the name of Rogge—and, judging from what the Senator from Florida said about him, he was a rogue. He told us what happened in Louisiana, and what happened was perfectly legal and lawful under the Hatch Act.

Mr. HATCH. O Mr. President, I disagree with the Senator in that statement. If the statements are true, it was a violation of law instead of being legal.

Mr. JOHNSON of Colorado. That may be the Senator's opinion but I want to read to him section 9 and see whether it is true or not. This is the way section 9 reads:

(a) It shall be unlawful for any person employed in the executive branch of the Federal Government, or any agency or department thereof, to use his official authority or influence for the purpose of interfering with an election or affecting the result thereof.

And it goes on to exempt—

(1) The President and Vice President of the United States; (2) persons whose compensation is paid from the appropriation for the office of the President; (3) heads and assistant heads of executive departments.

That is what Mr. Rogge is—assistant head of a department—and he acted in everything that he did under the exemption, which made his actions legal and lawful under section 9 of the Hatch Act.

Mr. HATCH. Mr. President, has the Senator from Colorado concluded?

Mr. JOHNSON of Colorado. I have.

Mr. HATCH. The Senator has spoken about exemptions under the act. It may be that the exemptions are too broad, and it may well be that some of those exemptions should be removed; but I ask the Senator, if that is his opinion, if that

is his judgment, why does he not offer an amendment, as the Senator from Missouri did the other day, proposing to strike out the exemptions from the law, instead now of offering an amendment which would destroy the law itself?

There is a very simple method to get at the matter which the Senator from Colorado has in mind. If he wants to get rid of the exemptions, and if the exemptions are wrong, let him offer amendments, and I may join him in some of them.

As to the argument concerning Louisiana, I was dumbfounded when the Senator from Florida [Mr. PEPPER] made that argument, for a deputy attorney general of the United States is not an assistant head of a department. If he went into Louisiana and interfered with an election, as was charged on the floor, certainly he violated the provisions of the act; but instead of rising here and seeking to destroy the law, why not demand an enforcement of the law?

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. JOHNSON of Colorado. The Senator interrupted me several times to tell me what the Attorney General had stated the law to be. He accepted what the Attorney General said about the law as being superior to what the law itself provides. I want to go back to the law; he says we should go back to the Attorney General. I presume that the Attorney General must have found that this man who was one of his subordinates was working within the law.

Mr. HATCH. The Senator from Colorado presumes that the Attorney General has found such a state of facts to exist. I make no such assumption, and, judging by the rulings the present Attorney General has already made on the law, I venture the statement that if the Senator from Colorado or the Senator from Florida can show that a Deputy Attorney General went into the State of Louisiana or any other State and sought to interfere with an election, Attorney General Jackson will promptly remove that man from office in compliance with the terms of the law.

Mr. MINTON. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Indiana?

Mr. HATCH. I will yield in a moment. I suggest, instead of trying to destroy the law, the only law on the statute books of the United States which would tend to prevent doing that thing, that the Senator try to make it stronger instead of weakening it. If it is wrong for officials to go into Louisiana, and the law is not sufficiently strong to prevent it, if that is what it was intended to do, then strengthen the law, but do not pull its teeth. I now yield to the Senator from Indiana.

Mr. MINTON. Neither the original Hatch Act nor the bill that is pending before the Senate defines an election. What was going on in Louisiana was not an election by the meaning of the Constitution or within the meaning of the law as the Supreme Court has laid it down. While I do not approve for a moment of what Mr. Rogge did in Louisiana, I think that Mr. Rogge might make out a pretty good defense by simply saying that he was not engaging in an election. It was a primary that was going on in Louisiana, not an election, and, therefore, he did not take part in any election, however reprehensible his conduct may have been.

Mr. HATCH. I thank the Senator from Indiana. I have not condemned the Deputy Attorney General. I knew nothing of the facts. I say if they are facts, if he did go into a sovereign State and attempt to dictate and control the affairs of that State in a primary or in a general election under the law prohibiting political activity, he should be removed from office, and the law is broad enough to cause his removal. Political activity applies to primaries just as well as to general elections.

Mr. BANKHEAD. Mr. President, will the Senator yield that I may ask him a question?

Mr. HATCH. I yield.

Mr. BANKHEAD. I should like to know of the Senator what distinction he makes between general elections and primary elections in this bill. There are places in the bill

where the terms are used in the alternative, either election or primary, as I recall, and other places where they are used separately, which would indicate that he had a distinction in his mind in the application of the law to a primary and to a general election. Section 9 applies apparently only to elections, while other sections apply both to elections and primaries. I will be glad to have the Senator inform us on that subject, especially in view of the Newberry case.

Mr. HATCH. I will be glad to inform the Senator on that subject.

In the first place, he misconstrued the purposes of section 9 when he said it was intended only to apply to general elections.

Mr. BANKHEAD. That is what is stated in section 9; it does not say anything about primary elections; and in other sections it says primaries and elections.

Mr. HATCH. It says "active part in political management or in political campaigns." The Attorney General and the Civil Service Commission have both ruled that those terms apply to primaries and elections.

Mr. BANKHEAD. Why does not the Senator include both primaries and elections in his bill?

Mr. HATCH. Because we thought political activity includes them both. In some of the other sections, where it is made a criminal offense and where reference is made specifically to elections of Federal officers, in order to make it certain that it would also include primaries, the words "primaries or nominating conventions" were included; but it was unnecessary to include them in section 9 under which political activity generally is forbidden. I do not think there can be any question about that. I do not want to keep the floor too long.

Mr. BANKHEAD. There is no time limit running.

Mr. HATCH. I understand there is no time limit running.

Mr. BANKHEAD. There is another question I should like to ask. I understood the Senator to state that section 9 did not apply to primary elections.

Mr. HATCH. I said the term "political activity, political management, and political campaigns" includes all elections—general, special, primaries, and every other kind. If that is not plain enough, I do not know how to make it plainer.

Mr. BANKHEAD. I have asked the Senator, and he has not answered, why he used the word "primary" or "nomination" in some sections but not in others.

Mr. HATCH. If the Senator will listen, I will explain again. I said that in section 9 we used the term "active part in political management or in political campaigns" because it was broad and general; that it was not necessary to specify a general election or primary, as it was all-inclusive. In the other sections to which the Senator refers all-inclusive terms were not used. Therefore it was necessary to describe and set forth the legislative intent, and so we included both general elections and primaries.

Mr. BANKHEAD. I call the Senator's attention to section 2 of the act, from which I quote:

To use his official authority for the purpose of interfering with or affecting the election or—

Mark the word "or"—

the nomination of any candidate.

So the Senator uses both terms. It is not limited to elections but includes nominations, while section 9 of the act does not include primaries.

Mr. HATCH. In section 9 the term "political management, political activity, and political campaigns" is used.

Mr. BANKHEAD. Does the Senator confine that to elections or to primaries?

Mr. HATCH. I am sorry the Senator does not follow me. I have answered the question over and over again.

Mr. BANKHEAD. I do not think the Senator has explained it to anybody's satisfaction except his own.

Mr. HATCH. Let me say once more that in section 9 of the act it was the intention to adopt the rulings of the Civil

Service Commission, and by the use of the term in that section "political activity, political management, and political campaigns," which had been construed to include both general elections and primaries, we thought it was unnecessary further to specify. It is my contention that section 9 does prohibit political activity in general elections and special elections and in primaries.

Now I should like to discuss for a moment the amendment offered by the Senator from Colorado in which he seeks to amend section 9 by providing, in substance, that section 9, permitting the political activity of Federal employees, shall apply only to States which have similar provisions.

To my mind, Mr. President, that would almost completely destroy section 9 if it were adopted. It would leave practically every State in the Union without this legislation. I do not know how many States have similar legislation, but I know they are very few in number. The States being perfectly willing for their employees to go out and engage in all sorts of political activities, pernicious and otherwise, under the Senator's amendment, the Federal Government would say, "We want our employees to be just as active, perniciously and otherwise, as yours are." Regardless of what standards the States may set up, we are letting them set up standards for our employees.

Mr. BROWN. Mr. President, the Senator again falls into the error I have been trying to point out all through the debate. He says that the Federal Government is saying to the States, "Your employees may engage in some pernicious activities." If the Senator would confine his bill to activities that are pernicious, he would not find very much objection to it in the Senate, but he, like the Senator from Massachusetts, the Senator from Georgia, and all Senators who have discussed that particular phase, continually refers to improper practices, to illegitimate practices, to pernicious practices, while the Senator's bill, and section 9 of the law, condemn activities which no one in the world has assumed were pernicious, improper, or illegitimate, because he there condemns political activity and political management, and he does not confine the condemnation to pernicious political activity and management.

Mr. HATCH. Mr. President, I fail to see the application of the Senators' argument to the particular point I am now discussing, which is the amendment of the Senator from Colorado. As I was saying, the adoption of that amendment will, in my opinion, undo all that we did at the last session of the Congress, and will turn loose upon the several States, without any restriction whatsoever, all the employees of the Federal Government.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. CONNALLY. I desire to ask the Senator a question, but it is not quite on the point he is now discussing. If he will indicate a little later when it is agreeable to him to have the question asked, I do not want to interfere with the thread of his discussion.

Mr. HATCH. It is agreeable now. I just do not want to take up too much time.

Mr. JOHNSON of Colorado. Mr. President, I should like to ask the Senator a question.

Mr. HATCH. I yield first to the Senator from Texas.

Mr. CONNALLY. I notice in the bill, on page 5, part of section 12, in the clause exempting certain officers from its operations, the following language:

And who determine policies to be pursued by such State in the State-wide administration of State laws.

I should like to have the Senator define what a policy-making officer is, other than a legislative officer.

Mr. HATCH. Really, at this particular moment I do not care to go into a discussion of that feature of the bill.

Mr. CONNALLY. That is why I indicated that if the Senator later on would yield I would ask the question at that time. I withdraw the question.

Mr. HATCH. I will try to do so. Although, as I say, I am trying to refrain from keeping the floor today, if possible, for obvious reasons, I want to say to the Senator that he might

get me to join him in striking out any of those exemptions that are not proper. I am not so keen about excepting those persons.

Mr. CONNALLY. If the Senator will allow me to interrupt him right there, I will not bother him again. What is in my mind is, Why should we exempt a policy-making officer, who naturally would have a good deal of authority and influence, and whose word would carry on without his approaching anybody in his department—why should we allow him blatantly and loudly to advocate anything he pleases in a political way, and then prohibit the punch-card girl, who does not do anything but just punch cards all day, from taking part in political activity? Why should we do that while we permit the policy-making man, whose voice would be heard throughout the whole State, to blow off all he please? That is what is in my mind.

Mr. HATCH. I will tell the Senator frankly why that provision was included in the bill; and if there is no reason for its inclusion, that is all right with me.

There are, in this Government of ours, in both the National and the State Governments, offices which are essentially political in their nature. I have frequently said on the floor during this debate that those officials many times have to go out on the stump, over the radio, and on the platform, not only telling the people but actually selling the people their theories and ideas of government. They not only have to do that but they have to have the privilege of going out and repelling attacks when their policies are assailed; and the reason for that exemption is to enable those officials to discharge an essential part of our form of government. But the girl who punches cards, as the Senator says, does not formulate any policy. The district attorney does not formulate any policy. He prosecutes criminals.

Mr. CONNALLY. He cannot do so under this bill, of course.

Mr. HATCH. He never did, with or without the bill.

Mr. CONNALLY. He is free, though, to speak out his mind in his precinct meeting.

Mr. HATCH. I have not yielded to the Senator.

Mr. CONNALLY. I beg the Senator's pardon.

Mr. HATCH. The job of the district attorney is to use the powers of his office for the enforcement of laws written by the Congress, and that is all. He has no discretion. There is no reason for the collectors of internal revenue and all these other employees to get out on the stump and take part in campaigns. I may say to Senators who are so worried about curbing the political activity of these officials that it has always been the program and the statement and the declaration of the Democratic Party that the best service that type of employee can render to his party is the kind of service he renders to his Government. If you give me in my State a good district attorney, a good collector of internal revenue, a good United States marshal, who is discharging in an honest, efficient, and patriotic manner the duties of his office, for which he is paid, I have confidence in the people reelecting to power the party that gives them such service.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. HATCH. Yes; I yield.

Mr. MINTON. If there are such good collectors of internal revenue, and such good marshals, and such good United States attorneys, does not the Senator think they ought to have the right on their own time, if they want to, to go out and take part in political campaigns that would further the interests of the party that put them in their positions?

Mr. HATCH. If the experience of the years in this country had not demonstrated that it is a right which not only can be, but has been and is today being abused in every district in the country in which this law is not in force, I should agree with the Senator.

Mr. MINTON. Mr. President, will the Senator further yield?

Mr. HATCH. I yield.

Mr. MINTON. Does not the Senator think we ought to punish the abuses of this privilege instead of the use of it?

Mr. HATCH. We are trying to prevent abuses. We are curtailing no rights. We are not placing any handicaps or hindrances upon the party or the officials.

Mr. MINTON. That is a matter of opinion.

Mr. HATCH. Yes; it is a matter of opinion; and it is a matter of opinion as to which the Senator from Indiana and the Senator from New Mexico are not in accord and are not in agreement.

On yesterday, when the Senator from Indiana spoke so fervently on the subject of holier than thou, he did not refer to me, I know. I think he made that perfectly clear. I think he knows that I have never stood on the floor of the United States Senate, or anywhere else, and assumed a holier-than-thou attitude or position. I have been perfectly willing at all times to confess my shortcomings, faults, and mistakes, which are many—too many—and I recognize again the honest differences of opinion. I accord to the Senator from Indiana the same right to his opinion that I have to mine; and I give him credit for honor, integrity, and courage in standing on the floor of the Senate and battling for his view on this legislation.

The Senator from Indiana said to me on yesterday that I was "cockeyed." I do not say that the Senator from Indiana is, was, or ever will be "cockeyed"; but I do say to the Senator from Indiana that he is wrong, he is mistaken, and he does not need to have this bill defeated. The record of the Senator from Indiana is one on which he can run before the people of his own State.

Mr. JOHNSON of Colorado. Mr. President, if the Senator will yield, I understood him a moment ago to make the statement that my amendment destroys the Hatch Act.

Mr. HATCH. Yes; I think it does.

Mr. JOHNSON of Colorado. It does not do anything to any of the first eight sections. It leaves this sentence in section 9.

Mr. HATCH. Mr. President, I said section 9, I think. If I did not say section 9, I want to limit that statement to section 9.

Mr. JOHNSON of Colorado. That is fine; but I want the Senator to limit it to only a part of section 9. My amendment does not affect the first sentence in section 9. The Senator said he was very proud of being the author of that section, and I want to congratulate him. He has a right to be proud of the statement that is made in that sentence:

It shall be unlawful for any person employed in the executive branch of the Federal Government, or any agency or department thereof, to use his official authority or influence for the purpose of interfering with an election or affecting the result thereof.

That sentence is not interfered with or changed or modified or amended in any way by my amendment. I do not want to change that sentence, because I believe, and firmly believe, that it does stop these "purgings."

Mr. HATCH. Mr. President, I may say to the Senator from Colorado that the first sentence of section 9 which he has read is superfluous, because it is almost identical with the provisions of section 9, in which the action referred to is made a criminal offense, and section 2 will furnish all the strength needed on that particular subject. But the heart of section 9, so far as an effective part of legislation is concerned, is the second sentence, in which this language appears:

No officer or employee in the executive branch of the Federal Government, or any agency or department thereof, shall take any active part in political management or in political campaigns.

That is the effective part of section 9. That sentence would be completely destroyed by the amendment offered by the Senator from Colorado. Whether or not that is his intention or his wish or desire, that would be the effect. I hope the amendment will be defeated.

Mr. MALONEY. Mr. President, will the Senator yield to me for a question?

Mr. HATCH. I yield.

Mr. MALONEY. I notice in the RECORD of yesterday that the Senator from New Mexico stated, in answer to an inquiry, that professors in universities and colleges receiving Federal funds for agricultural assistance would be denied the right

to participate in politics under the act. Perhaps the question is far-fetched, but I should like to have the Senator's view as to whether it might affect the universities and colleges which indirectly receive some assistance through the national youth movement or the National Youth Administration. Does the Senator from New Mexico have an opinion on that?

Mr. HATCH. Mr. President, there was so much confusion that I had difficulty in following the Senator. But the particular amendment now before us does not relate to that.

Mr. MALONEY. I understand that, but I have been waiting for some time to ask the Senator the question.

Mr. HATCH. As to the statement which I made yesterday about the professors, I have not attempted really to interpret the law from time to time because I think that is for another branch of the Government. But I desire to read to the Senator an interpretation by the Attorney General of the United States which I think affords ample protection in the case of every legitimate educational process, and I think that is what the Senator from Connecticut wants protected. It has been held already by the Attorney General, in interpreting this exact act—

Mr. BROWN. What Attorney General?

Mr. HATCH. Attorney General Frank Murphy. He said these activities are not prohibited:

Participation in the activities of civic associations—

There has been some discussion of that, and some Senators have stated that there could not be such participation—and educational groups.

Provided the activities in question are divorced from the campaigns of particular candidates or parties.

I think that completely answers the question.

Mr. MALONEY. Mr. President, my question is based upon a statement made by the Senator on March 5, when a Senator asked him whether a professor in a land-grant college would be affected, and the Senator from New Mexico replied and stated specifically:

Yes; he would be. I think he should be.

That disturbs me somewhat, because in my State there is a land-grant college, and I presume the professors there are as well informed on matters of agriculture as anyone else in the State, and they might be anxious to participate in a campaign in which an agricultural matter was involved. The Senator makes it clear to me that he believes they would be denied the right to such participation. I am wondering whether on the same ground the National Youth Administration activities, or contributions indirectly to a college, would result in the denial to professors of the right to participate in politics, and I am wondering whether it might not finally interfere, in that instance, and in the instance of the land-grant college professors, with their teaching in the colleges.

Mr. HATCH. No; it would not interfere with their teaching in the colleges. There is no question about that. That argument was made on the floor of the Senate yesterday; but certainly no professor should be permitted to use his classroom to advance the cause of a particular candidate.

Mr. MALONEY. I agree with that, of course.

Mr. HATCH. That is all that is prohibited. But as to the National Youth movement, as I understand the National Youth movement, their contributions are made to individual students.

Mr. MALONEY. Through the universities, I think.

Mr. HATCH. They are not made to universities, and I really do not think that the activities in which they engage are within the prohibitions of the act; but I do not want to give that as an official interpretation, because I am not sufficiently familiar with the functioning of the National Youth Administration.

Mr. MINTON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Austin	Barbour	Brown
Andrews	Bailey	Barkley	Bulow
Ashurst	Bankhead	Bilbo	Burke

Byrd	Green	McKellar	Sheppard
Byrnes	Guffey	McNary	Shipstead
Capper	Gurney	Maloney	Smathers
Caraway	Hale	Mead	Smith
Chandler	Harrison	Miller	Stewart
Chavez	Hatch	Minton	Taft
Clark, Idaho	Hayden	Murray	Thomas, Idaho
Clark, Mo.	Herring	Neely	Thomas, Okla.
Connally	Hill	Norris	Thomas, Utah
Danaher	Holman	Nye	Townsend
Davis	Holt	O'Mahoney	Truman
Donahey	Hughes	Overton	Tydings
Ellender	Johnson, Calif.	Pepper	Vandenberg
Frazier	Johnson, Colo.	Pittman	Van Nuys
George	La Follette	Reed	Wagner
Gerry	Lee	Reynolds	Walsh
Gibson	Lodge	Russell	Wheeler
Gillette	Lundeen	Schwartz	White
Glass	McCarran	Schwellenbach	Wiley

The PRESIDING OFFICER. Eighty-eight Senators have answered to their names. A quorum is present.

Mr. BAILEY. Mr. President, yesterday I offered objection to a unanimous-consent agreement, the purpose of which was to end the discussion of the pending legislation, and in offering that objection I stated that this legislation was most objectionable to me, and in some aspects of it, vicious.

I rise now to address myself precisely to that proposition. I should like to say at the outset that it is very far from me to reflect upon any Senator in employing the word "vicious" to describe my conceptions of this legislation. We may say of a bill that its principle is vicious, its consequences are vicious, without the slightest reflection upon its author or upon its advocates. After all, that is a matter of opinion.

I have a very high regard for the author of this bill. I think the Senate will agree with me that he is a high-minded, capable, and distinguished Senator. And, of course, I have a proper respect for the supporters of the legislation. I do not intend to say anything to wound anyone's feelings, but I do intend to speak clearly and without any special disposition to qualify my abhorrence of this legislation.

Before I go into the argument I wish to say another word about the filibuster. I think the whole Senate agrees that the policy of filibuster is not one to be approved, but I believe the whole Senate will agree that the filibuster may be employed in proper cases to a very great and useful purpose. Where would our country be today—your country and mine—but for the filibuster against the infamous Force bill. History has justified that. Where would our Southern country be today but for the repeated filibusters against the invasion of our civilization and its processes in the repeated attempts which have been made under the title of anti-lynching bills?

So I say we can justify the filibuster. But no one can say that I am filibustering. This is the first time I have spoken on the pending bill. But I say that I do hope there will be sufficient delay here for mature consideration. I hope we can delay the passage of this legislation or the final vote on it until the American people can see what is involved in it; and if so, I have no question as to what that decision will be. Much has happened, but nothing has happened yet quite fully to extinguish my faith in the instincts of the American people.

What is the basis of my accusation that this is vicious legislation? Hear me, Senators. It is vicious in that it asserts a vicious principle, and that vicious principle is this: It deliberately proposes to employ the gifts and the grants of the Federal Government to control the democratic processes in the States of our American Union. That is vicious.

It may be said it is in a good cause. I might concede that, although I do not. But even if it is in a good cause, the consequence of the assertion of that principle in the Congress and the national life will be infinitely worse than any evils intended to be corrected by the legislation.

It is proposed to say to a city, it is proposed to say to a county, it is proposed to say to a sovereign Commonwealth, "We will give you a gift or we will make you a loan, but it is upon condition that the public officers and the public servants of your county, and your city, and your State, shall behave themselves in a certain way."

Now, I am going to ask Senators to think one moment on this subject of the Democratic process. It lies much deeper than this mere doctrine we have of State's rights, great as that is, but it becomes a mere doctrine when we compare State's rights with the deliberate attack upon the democratic process in this Republic which lives and moves and has its being in that process. Destroy the process and you destroy the Republic.

I regret to say—and I would not say it if it were not true—that much has been done, much more than ought ever to have been done, in these recent years to destroy that democratic process. The Republic lives in this process. The men who come to destroy the Republic are not going to marshal armies against it.

They would know better than that. That would be futile. They are not going to gather mobs against it. They would know that we could repress mobs. They have enough sense to know that the way to destroy this Republic is to destroy the process by means of which it lives—that is, the democratic process established by the Constitution. That democratic process is a process of democracy voluntarily and independently manifested through 48 States.

When the Federal Government reaches forth its hand by way of coercion—and that is what it is—to compel my State to a policy, even though it be a good policy, it lays its hand upon the holy of holies of our American life. It undertakes to break down the process by which the Republic lives.

Senators, I can speak for my State of North Carolina. It is not a possession of the United States. It is not a Territory of the United States. It is not a dominion of the United States. God helping me, as long as I stay in the Senate I will never give the Congress or the Federal Government a mandate to control it. She was here before the Government was; and out of her loins this Government sprang. It is her creature. She does not intend to bow before the Federal power.

There is no question about what the proposal is. The proposal plainly says, "We will lend you money; we will give you grants, but it is upon condition that the public servants of the State or of its subdivisions shall behave themselves in the democratic process in a particular way demanded by the Congress and the Federal Government as a condition of a money gift." I have not any doubt as to how that question will be resolved in North Carolina. I think I know those people. I am not afraid. I did not fear in the slightest degree yesterday to stand on the floor of the Senate and offer my objection to a cloture which would have brought a conclusion to so solemn a matter without the consideration which I thought the subject demanded.

That is not all of it. It is proposed to corrupt us with our own money. It is proposed to go down to North Carolina and take taxes from the people of North Carolina, and refuse to give back any of the money except on condition. North Carolina is paying more taxes to the Federal Government than all the gifts, grants, and benefit payments combined. In due course of time, when this debt is to be paid—if, in the goodness of God, we shall ever be able to pay it—North Carolina will pay \$100 for every dollar she receives. And yet the money is taken from the people of North Carolina by the power of the Federal Government, and the people of North Carolina are told, "We will not give it back to you except upon the condition that you do as we say."

Hear me, Senators! North Carolina is not going to be governed by Senators from New Mexico, Montana, Virginia, or South Carolina. North Carolina does not intend to be governed by the Congress of the United States except in Federal matters. God stay the day whenever I shall consent that my State shall yield her election powers, her primary policies, and her internal policies to the control of any power under heaven except the Legislature of the State of North Carolina, elected by the people of North Carolina, and responsible to them every 2 years. With the utmost respect for Senators from other States, I deny their right to have a thing to do with the internal policies of the Commonwealth of North Carolina. I abhor the policy of using the Federal power of

taxation to take money from my people and then say, "We will not give it back to you except upon the conditions stated by us." In plain language, that is negation of the American doctrine. That is repudiation of the democratic process.

So, Mr. President, this legislation strikes very deeply with me. How far would it go? We are now using this power to control the democratic process in elections and primaries. Tomorrow we shall be undertaking to use it in control of the public schools. Most people seem to forget that the Federal Government has not only been making gifts and grants for school buildings in North Carolina—from our own money—but it is also making annual appropriations to the public-school system for vocational education.

If the principle of this bill is sound, another bill may be drawn upon that principle telling us what shall be taught in our schools, and who shall be the teachers. In the interest of carrying some doubtful States, we may be told that we ought to have mixed schools in North Carolina. Congress may go that far. I am talking very frankly to Senators of the United States. There are some who would go that far. I do not know what the years may bring. I do not know what will happen next year, or the year after that, or the year after that. I am standing here today and resisting the beginnings.

I take it Senators understand now what I mean when I say that this is vicious legislation. It is vicious in that it strikes at the very roots of American life. It is vicious in that it asserts a principle which will not only sap the vitality of every commonwealth in America, but will strike it down as a commonwealth and give to it the status that Syria has with France, or Palestine has with Great Britain—the status of a mandated territory.

I hope I may say something more without offense. There has been some expression of wonder that so many Senators from the portion of our country which is called the South are lined up against this legislation. That is not difficult to explain. It is difficult, I agree, to explain to the younger generation, even in the South. It is extremely difficult to explain to our friends from the West and from the North. However, the South once had an experience with Federal control. I do not think that Dante, in his descent to the depths of hell and the bottomless level which he found reserved for the hypocrites of history, ever knew worse than our people knew.

Perhaps it may not be quite in order for me to refer to a motion picture or to a current novel, but I shall. I read the book called *Gone With the Wind*. I am not a novel reader. That was the first one I had read since Mr. Britling Sees It Through during the World War.

Let me be very personal. As I read that story, every word of it was confirmed in my memory by what my mother told me, and what my father feared day after day and night after night. The story is not overdrawn, Senators. That was Federal control. You say you would not do it again. There is no necessity to trust anybody in such a matter. Perhaps you think you would not, but there will be others. I am glad that book has been made into a motion-picture play. I have only one fear, and that is that the audiences who sit and see what happened after the fall of Atlanta and then see the dread aftermath of Federal control, which was worse than the war, will say, "Oh, well, that is just a romance. That is just fiction." Oh, we could stand the war, and we could stand defeat, but it took heroic men and heroic women to survive the aftermath; and I shall honor them as long as I live.

Oh, my friends, that is a true picture, and I know every word of it. I was born in reconstruction. I grew up in reconstruction. I know something of my own experience; and I know the whole story from lips as pure and true as ever uttered the Gospel of God. Yet here we are, Senators, I think rather lightly—I do not mean to complain—resolving this matter on one trivial circumstance or another, as I see it, as a Senator said yesterday—I would not say it—thinking about our own little orbits and our own little political lives, resolving this question in terms of a mere momentary self-interest. Some think the bill would control adverse politicians in their States, so I hear; some think it would even up

matters; but, Senators, do not think in terms of the present or of the moment but of the life of the Republic.

There is a future; there will be a better day, I hope; and in that future I want a policy denying not only Federal control in the Commonwealths that constitute the Republic but a policy that will assert, with all the power of the centuries of English-speaking freedom, the indispensable importance of local self-government, the very foundation of the democratic process.

So, Mr. President, I hope no man will say that I am thinking in terms of politics. I am not thinking whether this bill will hurt the Democratic Party or help it; I am not thinking whether it will help the Republican Party or hurt it; I am not thinking whether the public servants in North Carolina, who may be affected, will approve or disapprove of me; I am thinking in terms of the life of the Republic and the right and meaning and power and usefulness of the Commonwealth whose people sent me here, the Commonwealth of North Carolina. I am speaking in terms of the preservation of the democratic process in America, and I am saying that every time you impinge upon that process, every time you do a thing that tends to impair that process, you are doing precisely what the termites do to a great structure—destroy its foundations, convert its columns and its pillars into dust, with perfect assurance that the day of its fall is inevitable. So much for that phase of the subject.

Mr. President, the theory of this legislation is that activity by officeholders is a bad or pernicious thing. I have been reading in the American press a description of this bill as "the clean politics bill." I am going to denounce that right here as manifest humbuggery, and that is the only name for it. We have had enough of that sort of humbuggery in this country. We seem to think, like children, that we can give a piece of legislation a good name and alter its consequences. We called the National Recovery Act a recovery act, and I believe there was a time when nine-tenths of the people of North Carolina thought all we had to do was to pass that act and recovery would be here the next day. We know what happened. We had recovery before that act went into effect; we were on the way out of the depression in June and July 1933; America was going forward with high hope; but that act went into effect on July 1 and began to operate by August, and we went down to the bottomless pit again. Then the people learned that it was not a recovery act. I think they will learn the same thing about this "clean politics" bill. There is nothing especially clean about this bill; there is nothing cleansing about it; but there is much to degrade.

Now let us look at it and see. This bill says it is all right for the mayor of a town that gets a grant to be as active as he pleases but his clerk is worthy of condemnation; it is unlawful for him to take part in any political activity. Am I to be told that is Americanism? All men are equal under the law here; at least, they used to be.

They turn loose my good friend, Jim Farley as chairman of the Democratic Party in New York State. I think much of him; I do not mean by mentioning his name to indicate otherwise; he is a straight-thinking, honest man, on whose word one can always count; but he is also chairman of the Democratic Party of the Nation; he is Postmaster General, and he handles, through the Post Office Department, about \$780,000,000 a year. He can make a speech every day in the week; he can get delegates from Dan to Beersheba; but the sheriff of my county must run into his hole and hide and the deputy sheriff must find a cave. That is an absurdity on its face.

Here is Mr. Ickes, if that is how to pronounce his name [laughter]; I do not know how to pronounce it.

Mr. SMITH. That will do; go on; that is as good as any pronunciation.

Mr. BAILEY. I did not know how to pronounce his name; his name was not known when I was growing up; he is a newcomer to the national life. He can issue political statement after political statement; he can denounce Members of Congress, as he does; he can pull any amount of political wires; he can rebuke us when we do not behave as he thinks we

should; and he distributes the public-works money when there is any. Do you appreciate that, Senators? The fountain head of the money can hand it out as he pleases, but if my State gets any or the University of North Carolina gets any or the public schools of my State get any or my county gets any, or my city gets any, every officer is silenced and every employee as well.

Now let us consider the road money. How do we get the road money? A tax is put on gasoline; that tax is taken from my people, and North Carolina does not get back any more than she pays in. It is obtained by the power of the Federal Government, placed in the Treasury, and then the proponents of this bill propose to say, "We will not send a dollar back to you until you do what we say about politics." Every man working on the roads down there, every engineer, every clerk, the highway commissioners, everybody except the Governor—and I do not know why the Governor is excepted—has got to behave himself at a primary or an election as the Federal Government says. That is the size of it; that is what you are doing, and I suppose you will keep on doing it, but I am telling you you are going to repent it. I am going to do what I can to stop it. If I had the physical capacity, I would speak day in and day out about it, until, in course of time, I was able to awaken the American people. What do Senators say about the perniciousness of that?

Mr. Harry Hopkins, who sometime ago distributed W. P. A. money, can—

Play such fantastic tricks before high heaven
As make the angels weep.

But if any of that money is given to a courthouse, to clean it up or to build it, or to a jail, then I take it that the sheriff, his deputies, and the county commissioners are forever silenced. They must not be politically active, while the man who gives out the money is just as active as he pleases.

What do you think of that? How can men stand for that?

I am not inclined to discuss the politics of this matter, but I am going to say this solemn word: We are not going to have clean politics in America by tying the hands of all the little officeholders and leaving the big ones free. We are not going to have clean politics in America by allowing the men who distribute money to do as they please in politics, and then saying to the little fellows who are on salaries that they must go into their holes and disappear from the political field. That, again, is a monstrous interference with the democratic process. It gives an unlimited power to the men higher up.

I will make an assertion here on which I will stand: The humblest deputy sheriff in North Carolina has just as much right to engage in politics as has the President of the United States. Deny that statement if you wish.

Who ever before drew the line in America between a big officeholder and a little one? Who ever thought of drawing it on the basis of taking our money from us and then saying, "We will not give it back to you except as you do as we please"? That is the inwards of this bill. That is the meaning of this bill. I say to you younger Senators, "Vote for this legislation, and you will live to see the day when you will repent of your action in sackcloth and ashes." You will not be able to say that a just judgment was not visited upon you, either.

Another point: There are limits to the Federal Government. There are limits to its taxing power; and they were not fixed by the old Court, either. Read the A. A. A. decision. It was handed down by Mr. Justice Roberts. He is still on the Court. There was a dissenting opinion by Mr. Justice Stone, and he is there yet, and he is counted with the progressives on the Court. In this dissenting opinion he undertook to summarize the limitations upon the Federal power in the matter of taxation. Read that dissenting opinion, and you will find that he says that one of the limitations was that the Federal Government could not use its taxing power to coerce. Read it. You remember that that dissenting opinion was signed also by the late Mr. Justice Cardozo, who was a progressive.

I am not saying that this measure would be held unconstitutional. Heaven knows I do not intend as long as I live to say that anything will be held unconstitutional. I shall not live long enough to know just how the new Court is going to resolve questions. That is not a reflection upon the Court. It takes a long time for a court to establish its formulas. It took more than 120 years for a long series of courts to establish the meaning of the Constitution in the national life and in the light of the repeated acts of the Congress, and we thought that meaning was fixed for all time. Suddenly it is all gone. It will not be in 10 years or 20 years that the temper of the thinking of the method of the approach of the present Court, and such additions as may be made to it, will be determinable; but I can say that Mr. Justice Stone, writing that dissenting opinion and not controverted at all by the main opinion, did give an utterance there that supports the argument I am making; and that is, that there is a limitation upon the taxing power of Congress, and that limitation is that the Congress can never employ the taxing power to coerce a Commonwealth.

I would not offend my Republican friends. They have not won many victories during these 7 years, and it appears now that they are soon to win one. I have admired the fidelity with which they have rallied to the banners of our Democratic leader. I have exalted him for his capacity to lead us Democrats; but in his new capacity as leader of the Republican side of the Senate he has added titles of lasting honor to titles of distinction. When this thing is over, if we get it over, it will be a Republican victory. In every instance of votes here you will see that the Democratic majority was against the bill, and that the Republicans, in the most perfect unity in their whole history during the 10 years I have been in the Senate, rushed into the battle at the command of our great leader on the Democratic side and saved the day again and again.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BAILEY. Surely.

Mr. CLARK of Missouri. Did the Senator regard it as any element to affect his views this morning in the Commerce Committee when he happened to vote with the minority of the Democrats, with a majority of the Republicans—in fact, I think all the Republicans—against a majority of the Democrats on the committee?

Mr. BAILEY. Not at all.

Mr. CLARK of Missouri. The Senator thought he was right, and he voted his convictions.

Mr. BAILEY. Oh, no; I think my good friend the Senator from Missouri misunderstood the force of my argument. I was not saying that our Republican friends had done anything wrong. I was complimenting them upon having found, under a Democratic leader, a unity which they could not achieve on their own motion. [Laughter.] I think the Senator missed my point. I would not criticize them. I am complimenting them; but I was making the point that they were supporting this legislation with very great enthusiasm, and I was approaching the point of defending them for it.

I am not surprised. I do not blame the Republicans for entertaining a hope that this legislation may tie the hands of a few Democratic officeholders here and there and give them a chance this fall. I suspect they will not get far unless they do get a good many hands tied. I would not blame a fellow in their fix for seeking that method of getting through; but most seriously, with all due respect, there is a historic difference in our land.

We Democrats affect to believe that we derive our philosophy of government from Thomas Jefferson. I said "affect," I will say to the Senator from South Carolina [Mr. SMITH]. Thomas Jefferson was the great apostle of local self-government. He was the great protagonist of the State as the essential unit in the life of the Republic. We affect to derive our philosophy from him, and we have claimed that that was the philosophy of the Democratic Party. I take pains to use my verbs in the past tense. I do not think I shall be challenged if I do.

The Republicans very frankly have always claimed, as I have understood, to derive their philosophy from Alexander Hamilton—their philosophy of government. I would not stop there. I would like to be fair. They derive their philosophy of life from Abraham Lincoln, as noble a figure as ever breathed the breath of life, as great an exponent of Americanism and probably the most useful of all the human beings who ever lived in the New World, except George Washington. He preserved the American Union.

Deriving their philosophy from Alexander Hamilton, they may justly assert Federal control and Federal centralization. But what can we Democrats do? We must repudiate Thomas Jefferson, and, while it appears here that the Republicans have been coming over to us in this discussion, the real fact is that our leader and his Democratic followers have been falling into the arms of the Republican opposition. I do not blame them for being so unified in welcoming so glorious a company, especially in an election year.

Now, Mr. President, I have made my argument, and I am content to leave this matter with the Senators. But I do hope that my colleagues will have some thought of the earnestness with which I have spoken, that they will weigh what I have said with some regard to my profound convictions as expressed—that this proposed legislation strikes at the vitals of our national life, strikes at the roots and the foundations of our great Republic; that if this door is opened, through that open door will come a train of evils unending, unending save in the end of all things which our fathers and ourselves have held dear.

Mr. BARKLEY. Mr. President, I had not intended to discuss the amendment offered by the Senator from Colorado [Mr. JOHNSON], and I had hoped I might not feel called upon to discuss the bill.

The Senator from North Carolina [Mr. BAILEY] is one of the ablest Members of this body and one of its most logical debaters. I have often in private paid him that compliment, if he so considers it, and I am glad to do it publicly. I would not now for a moment detract from his sincerity. I know that he believes every word he has uttered today, and that he always utters sentiments out of the conviction of his heart. I honor the State from which he comes because my grandfather was born and reared in that State, and there still stands in North Carolina the home in which he was born. Someone in that State a few days ago sent me a picture of a magnificent old southern home which has been in the family of my ancestors and my relatives in the State of North Carolina for over 200 years. There is a quality about the people of North Carolina which I have always admired and cherished, and I think the senior Senator from North Carolina, as much as anyone whom I know, exemplifies and typifies that superior quality of the people of his State.

We have listened with great interest to his philosophical and his practical discussions of the theories and processes of democracy. I take no umbrage at all, I will say to my friend, from the fact that he rather singles me out here—I hope not in criticism but in a coincidental circumstance—

Mr. BAILEY. There was no suggestion of criticism. I was complimenting the Senator upon his capacity to lead the Republicans, and then also undertaking to explain in defense of the Republicans that, after all, he was going over to them. Since the Senator has paid a tribute to my State, I wish to make a further contribution to the theory of the new unity. The ancestors of the Republican leader on the other side also came from North Carolina, and his grandfathers' memories are very highly cherished there, just as is the memory of the grandfather of the Democratic leader.

Mr. BARKLEY. I was not familiar with the fact to which the Senator refers, but I accept that as a further evidence of North Carolina's outstanding greatness.

I am not at all disturbed or embarrassed by the fact that the Republican minority happens to agree with my position on the pending bill. I am inclined to congratulate them, as the Senator from North Carolina has congratulated them, though probably with a slight difference in the angle of

approach. It is so seldom that I can congratulate the Republicans on being right that I am delighted to be able to do it, and my enthusiasm and my support for the pending legislation are in no way dampened or lessened because they have seen the light and are supporting the legislation. I believe, as I have always believed, that so long as the lamp holds out to burn, the vilest sinner may return, and I hope there are others in this Chamber who will hit the sawdust trail before the consideration of the pending legislation shall have been concluded. [Laughter.]

Mr. MINTON. Does the Senator think they have seen things, or rather smelled things—perhaps the fleshpots? [Laughter.]

Mr. BARKLEY. Whether they have seen or smelled things depends on how close they have been to certain parts of the United States. [Laughter.] I do not know whether their eyesight is more acute than their sense of smell, and it makes very little difference to me.

I appreciate the theory of democracy which is entertained by the Senator from North Carolina, and I appreciate his reference to Thomas Jefferson. I still think I am a follower of Thomas Jefferson, though in the 150 years since Jefferson promulgated his theory of democracy there have been many changes in the approach to that subject and in its application. When Jefferson became President of the United States and was confronted with the conditions which he found as a responsible officer, he, himself, changed some of his theoretical views about the application of the processes of democracy.

Whatever we may say about those processes, whatever we may say about the change in the application of those processes, there is one thing which I do not believe we can successfully change: We cannot afford to pollute or corrupt or corrode the sources of the democracy to which we pay tribute.

We learn in physical geography that no stream can rise above its source, and if that theory is true in physical geography, as we all know it to be, it is likewise true in politics and in government. No stream can rise above its source. What is the source in politics? It is not the Presidency of the United States; it is not the governorship of a State; it is not a United States senatorship; it is not a seat in the House of Representatives; it is not the mayoralty of any city; it is not the office of sheriff in any county. The source of all power and of all authority, the source of the entire political stream of our democracy, lies in the people. They make and unmake men. They declare and nullify policies. My support of the pending bill is based upon the belief—and I think I could quote Thomas Jefferson for that theory and that belief—that, after all, the thing that is most apt to destroy the very foundation of our democracy and pollute the stream from which it flows is the unholy, unlawful, and corrupt use of money in the attempt to control and affect the source of our democracy.

The word "purify" in connection with elections has been bandied around as something theoretical and visionary and something to be laughed at. I do not think the American people feel that way about it. If we are in danger of that sort of pollution in the stream of our democratic thought, shall we attempt to eradicate the evil and its possibilities at the source, or shall we wait until it has gone some way down the stream and then try to alleviate the situation below the source?

Mr. BAILEY. Mr. President, I was reading the report made by the Senate Committee on Expenditures of Political Parties in 1936. I think I am safe in quoting from memory. It appeared that in 1 year the Republicans collected a little more than \$7,000,000. The Democrats collected five and a half million dollars. The Republicans got some money from people of means. The Democrats also got some money from people of means. They got \$50,000 from one lady, whose husband is now an ambassador or minister. They got some money from Mr. Pabst, the brewer, and other money from the brewer, Mr. Busch, of Anheuser-Busch. Are we to judge the matter of money—I do not think that is in the bill, which deals with officeholders mainly—based on the sources, or the amounts, and shall we say that the collection of \$5,000,000 is

not corrupt, whereas the collection of \$7,000,000 is corrupt, and that money received from the lady in question is good, while that received by the Republicans from someone else is bad? And shall we say that Mr. Pabst's money is good because he gave it to the Democrats, whereas the money given by someone else is bad because it was given to the Republicans?

Mr. President, I suggest to my dear friend, our leader, that people who live in glass houses should be careful how they throw stones. I have never at all liked Mr. John Lewis' rising in the midst of the sit-down strike and lecturing the President of the United States, saying, "I gave you \$50,000 of my people's money, and then I loaned you \$450,000, and now you are not doing what I say." Is that corrupt, or not? The same principle is in the bill. It is proposed to lend my State money on condition that the people of the State do something.

I should like to have the Senator elaborate on the subject of political contributions. I know that the Democratic Party goes all through my State seeking money. Why should I withhold that fact? We are going to be fair here with ourselves at any rate. We accept contributions. Are we going to say that that is corrupt? If so, let us find out about it. I would not say that money given to one party is good and money given to the other party is bad.

Mr. BARKLEY. Mr. President, the Senator has injected a legitimate question which I shall attempt to discuss. I do not condone in any degree, or to any extent to which it may be wrong or evil or improper, the use of money in elections, regardless of the source from which it comes. I do not know anything about it except as it is reported, and I have no doubt the report is accurate. The gentleman mentioned by the Senator, and the lady, who is nameless so far as this debate is concerned, made the contributions to which he has referred. Neither do I contend that money contributed to the Democratic Party is any more untainted, or that it is any more tainted, than money contributed to the Republican Party. But I do contend that of all the money that is taken for campaign purposes by either the Democratic or the Republican Party, the most indefensible action is the taking of money raised by the power of the Government under the guise of taxation and diverting it from the purposes for which it was collected and using it for political purposes.

Mr. BAILEY. May I ask the Senator, if that is so, why not control Mr. Ickes, Mr. Hopkins, Mr. Farley, and the big fellows who handle the money?

Mr. BARKLEY. I will say to the Senator that I do not regard interviews given out by members of the Cabinet, or Governors, or United States Senators, or others in defense of their policies, or even in criticism of those who oppose them, as a pernicious use of their influence and their power and their authority to control elections, and I do not know of any cases in which any of the gentlemen referred to have undertaken to use money or the power and influence of money to control elections.

Mr. BAILEY. The Senator is arguing on one aspect as to influence, with respect to them, and on the other with respect to the little officeholder. The little officeholder is not using money either. Certainly the Administrator of Public Works allots money; he handles money. Certainly Mr. Jesse Jones, of the R. F. C. makes allotments. Certainly Mr. Thomas Corcoran, the most active politician in America, is in the R. F. C. They are free. That is all right. A little town in North Carolina borrows some money, and its hands are tied. I should like that to be reconciled. If the Senator will reconcile that, I shall vote for the bill.

Mr. BARKLEY. I should be willing to go to almost any honorable or reasonable extent to have the Senator from North Carolina share my views, but I doubt very much if I could induce him to do so.

Mr. BAILEY. I am going to ask the Senator to reconcile that for other Senators. I will go out and smoke meanwhile.

Mr. BARKLEY. I have always contended, as the Senator from North Carolina has contended, that the power to tax is the power to destroy, and the Supreme Court has sustained that view.

Mr. BAILEY. No; the Supreme Court has denied that view.

Mr. BARKLEY. No, no. We know that the power to tax is the power to destroy.

Mr. BAILEY. Oh, no; I am not going back on the Supreme Court.

Mr. GLASS. One of the recent appointees to the Supreme Court signalized his entrance on the bench by saying that John Marshall was a rhetorician rather than a lawyer when he said that.

Mr. BARKLEY. I understand that; but, nevertheless, the power of the Federal Government to reach its arm out into any community or to any industry, whether it is rhetoric or whether it is logic, is the power to destroy the institutions upon which it levies the tax.

Mr. GLASS. Well, I align myself with John Marshall and not with Mr. Justice Frankfurter.

Mr. BARKLEY. I have found myself on occasions with John Marshall. I have no reason to regret that once in a while I can regard the great John Marshall as not only a jurist but a statesman. I think the State of Virginia regards him as such, and I do not say that in any way in derogation of the sincerity of my friend's views.

Mr. GLASS. I, too, so regard John Marshall; but the Senator from Kentucky seems to think that I do not.

Mr. BARKLEY. No; not at all. I was not intimating that, not in the slightest degree. I regard John Marshall as one of the great jurists of all times, and one of the great statesmen of the United States. I think his decisions gave to our Federal Government a cohesion and a permanence and a power that was indispensable, if we were to have a republic capable of carrying out its authority and enforcing its power.

But, Mr. President, we know that the power to tax is the power to take money from people involuntarily so far as they are concerned. We go out with the strong arm of the Federal Government to raise money for a multitude of purposes, and the payment of money into the Federal Treasury frequently causes hardships. Within the next 3 days most of our people will be required to make their income-tax returns; hundreds of thousands of people will be required to go to their banks, if they have credit, and borrow the money with which to make their contribution to the Treasury of the United States. It matters not whether that money is to be allocated among the various States for the purpose of building highways, or for the purpose of paying old-age pensions or unemployment insurance, whether it is for the purpose of maintaining the civilian conservation camps, or for any other purpose. I maintain that neither the Federal Government, nor the State governments, nor any branch of the Federal or State Governments have a right to use that money directly or indirectly for the purpose of determining the course of action to be pursued by the source of power in the United States; that is, the people.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. MALONEY. I should like to inquire if the Senator knows of any States in the Union that have sufficient machinery to cope with the kind of evil to which he has referred.

Mr. BARKLEY. I do not have a list of the States which have enacted legislation of that sort. My own State has passed a statute which makes it unlawful for anyone in the State government or anyone under the State government to wring campaign contributions by means of coercion, intimidation, or threats.

Mr. MALONEY. Mr. President, will the Senator yield to me for a question?

Mr. BARKLEY. I yield.

Mr. MALONEY. Does the Senator believe there are any States which need the help of the Federal Government in setting up machinery to protect them against the kind of practice referred to?

Mr. BARKLEY. Probably not. I do not think the question revolves around that issue. However, I think the Federal Government, in the expenditure of the money, may need the help of States in order that all the atmosphere, all the

ramifications, and all the approach to this sort of political expenditure may be prohibited. But if the States are not willing to protect the people against the use of their own tax money with respect to purely State activities, it is my contention that we have an obligation to protect the people of the States and the people of the United States from such use of money which the United States Government applies to the advancement of these projects and activities.

Mr. MALONEY. I think the charge of abuse of money which is so carelessly made throughout the debate is very much overdone. If there have been abuses in some few isolated cases in the Nation, it seems pretty harsh treatment of the other States, in attempting to correct one or two or three isolated cases, to punish all the States of the Union by this dictatorial procedure.

Mr. BARKLEY. I should not say that the cases are isolated. Neither should I say that any State would be penalized or punished under the proposed legislation in order to relieve the conditions which are aimed at.

That leads me to discuss the question of States' rights, which has been injected into this debate. In the first place, I do not think any State has a right to demand that the Government of the United States, out of its Treasury, put up any money to carry on activities within the States. The money is not allocated to the States on the theory that originally they had any right to demand that Congress appropriate money in order to assist them in their activities.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Texas.

Mr. CONNALLY. I agree with the Senator in that statement; but have they not also the right, if the Federal Government allocates money to other States, to demand their share?

Mr. BARKLEY. Of course they have a right to be treated on a basis of equality with all other States; but they have no fundamental, original right to demand that the Federal Government, out of its Treasury, shall make any contribution to any county within the State. If they have no original or fundamental right, as a matter of States' rights, to demand that money shall be contributed to them out of the Treasury of the United States, they have no right to demand that they shall fix the terms upon which the expenditures shall be made when the money is allocated to them.

Mr. CHANDLER. Mr. President, will my colleague yield to me?

Mr. BARKLEY. I yield to my colleague.

Mr. CHANDLER. Have not the several States been accepting money from the Federal Government under restrictions and with the understanding that they had to pass compliance laws; and have they not, certainly during the past 7 years, been living under the direction of heads of bureaus of the Federal Government in Washington; and have they not been required to cooperate in order to get along?

The proposed law is no new invasion of States' rights. We now say to the States, "Quit listening to Mr. Hopkins, Mr. Ickes, and all the other heads of bureaus, boards, and commissions. If you have a complaint, make it to the Civil Service Commission. If you spend the money of the Federal Government, you must spend it for purposes of government, for public health, schools, charities, old-age pensions, and the like, and quit spending it for politics."

Mr. BARKLEY. The Senator is correct. Not only since the passage of the first good-roads law in 1916, but even before that—although that is the most recent outstanding example—we required the States to do certain things, to comply with certain requirements, in order to obtain money from the Federal Government. They were not required to do so unless they wanted the money.

Mr. CHANDLER. They were anxious enough to get the money, and they did not turn it down. Is not that true?

Mr. BARKLEY. They have all complied with the requirements and have received their share of the money. They have never complained that the Federal Government has exercised the right to fix the terms upon which the money should be expended.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. ADAMS. I think it has been conceded during the course of the debate that the Federal Government does not have a right to do directly what we are seeking to do indirectly. In other words, the Federal Government may not penalize or punish a State employee for participating in politics.

Mr. BARKLEY. In the first place, the Federal Government or Congress may not directly require that a State employee be discharged.

Mr. ADAMS. That is true.

Mr. BARKLEY. It may not prescribe a criminal statute for the violation of which a State officer may be punished within his jurisdiction as a State officer. Because of that fact, the bill now before us has undertaken to provide a way in which the law may be enforced without attempting to invade the criminal field by undertaking to punish men through a criminal statute.

Mr. ADAMS. The plan is to say to the State, "Here is some money we do not have to give you. We will withhold it from you if you do not make certain exactions as to the conduct of your officials." Is not that correct?

Mr. BARKLEY. We have the power to withhold it.

Mr. ADAMS. In other words, we are seeking to purchase from the States certain action which we have no right to require.

Mr. BARKLEY. No.

Mr. ADAMS. Will the Senator explain how that action differs from bribery?

Mr. BARKLEY. In the first place, I do not agree that we are trying to purchase from the States any authority or any right regarding the expenditure of the money. We are trying to say to the States, "This is the money of the Federal Government. It is the money of the American people. It has been taken from them without their consent, except insofar as they have been willing to pay taxes, which they were compelled to pay. We are now undertaking to fix the conditions under which the money shall be expended, just as we have done in connection with highways, old-age pensions, and all such activities. If the State is not willing to comply with the requirements made as a condition for the expenditure of the money, it need not use it."

Mr. ADAMS. If we could exact this condition, we could exact some other conditions. We could make an exaction as to the taxes the States should levy; we could make an exaction as to the salaries paid State employees; we could make an exaction as to State schools, if the States were willing to take the money rather than to insist on their rights.

Mr. BARKLEY. Of course, the Federal Government has the right to fix conditions under which money allocated by it shall be expended. However, since the Senator has used the word "bribery"—

Mr. ADAMS. That is a harsher term than I meant to use.

Mr. BARKLEY. Still, the Senator used it. He himself used the language.

Mr. ADAMS. Then let it stand.

Mr. BARKLEY. The Senator said we are trying to bribe a whole State to do something it might not otherwise want to do. I do not think even that harsh term is any more disagreeable with respect to the use of this authority in regard to a State than the use by some State officer of money furnished by the Government of the United States to bribe a man who holds a position under him to vote in a certain way or be precluded from any longer participating in the benefits conferred by the expenditure of the money.

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. BARKLEY. I yield.

Mr. HATCH. I have been greatly interested in the debate during the past several days, and the sudden interest which has been manifested in the Senate in the granting of Federal funds on condition. I asked the Legislative Reference Bureau to prepare for me a list of laws in which such conditions have been attached. I hold in my hand 18 pages of closely typed references to laws passed by the Congress granting funds upon conditions of all kinds. For instance, one law

made certain grants of hospitals to the State of Minnesota upon the condition that Indians should be granted citizenship by the State of Minnesota. Eighteen solid pages of such references lie before me on my desk.

Mr. BARKLEY. I think it might be helpful and instructive if the Senator would have the tabulation inserted in the RECORD.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Florida.

Mr. PEPPER. I ask the Senator from New Mexico if any of the so-called conditions to which he refers prevents any citizen of any State which directly or indirectly received any of the funds from taking any part in any local political campaign in his or her State?

Mr. HATCH. Mr. President, if I may answer—

Mr. BARKLEY. I yield to the Senator.

Mr. HATCH. I have not had time to read all the conditions, but I did pick out certain ones. I have just pointed out one instance in which the granting of full citizenship to certain residents of the State—a matter clearly only within the jurisdiction of the sovereign State—was made a condition precedent to the granting of the gift.

Mr. PEPPER. What was the subject of the appropriation?

Mr. HATCH. The granting of certain hospitals to the State of Minnesota.

Mr. PEPPER. Were they hospitals for Indians?

Mr. HATCH. I suppose they were hospitals for Indians. That makes no difference. The test was that the State of Minnesota changed its laws and granted citizenship to a class of persons who theretofore had not had citizenship.

Mr. PEPPER. I do not know the conditions, of course; but I do not suppose the Senator would approve the appropriation of Federal money to the State of North Dakota, for example, upon condition that the State change its name, or that all the people cut their hair the way the roundheads in ancient England used to cut theirs, or any such condition. I assumed that there was some proper relationship between the condition and the grant. I was merely interested to know whether or not, in any of the cases cited by the Senator, any local citizens had been prevented from taking part in any local political campaigns in which the Federal Government had no interest.

Mr. HATCH. Yes; the Congress has enacted legislation of that type.

Mr. PEPPER. Does the Senator refer to the Social Security Act?

Mr. HATCH. That is one example.

Mr. PEPPER. Are there others?

Mr. HATCH. I think there are others.

Mr. PEPPER. It is significant that that is the only example.

Mr. BARKLEY. Mr. President, I do not wish to detain the Senate longer except to make an observation particularly in connection with the jibe which has been constantly hurled in the debate that there is something unworthy about the whole proceeding because the Republican minority happens to be voting with those of us on the Democratic side who support this legislation.

Mr. BAILEY. Mr. President—

Mr. BARKLEY. Let me finish my observation. I dare say that the Democratic Party would not be in power in the Nation today if it had not been for the fact that in 1932 it received the votes of millions of Republicans. Are they to be condemned because they voted with us? The same thing was true in 1936. It would have been impossible for the President of the United States to receive the overwhelming majority which he received, in both the popular vote and the electoral college, if he had not received hundreds of thousands and millions of votes which formerly had been cast for the Republican Party. I dare say that there are Members on the floor of the Senate now on the Democratic side—I hope they will remain here—who would not be here today if it had not been for the fact that in their States thousands of Republicans deserted their party and voted to send them here.

Mr. BAILEY. Mr. President—

Mr. BARKLEY. I will yield in a moment. I appreciate that feeling of independence, and I congratulate those Republicans in the States who made it possible for Democrats to be sent here. I have no doubt that when we again come up for reelection in all our States we will try to appeal to the independence of the Republican voters. I know I do it in my State. When I was first elected to this body against the Republican sitting Member I was elected, in part, by Republican voters in Kentucky, and there are others here in the same situation.

Mr. BAILEY. Mr. President—

The PRESIDING OFFICER (Mr. CLARK of Idaho in the chair). Does the Senator from Kentucky yield to the Senator from North Carolina?

Mr. BARKLEY. I will yield in a moment. If it is right and proper and patriotic and to be commended in the States for Republicans to vote for Democratic candidates, I cannot have it in my heart to criticize the Republican Members of the Senate because they have in this particular contest voted with those of us who favor the pending legislation.

Mr. GLASS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield, and if so, to whom?

Mr. BARKLEY. I yield first to the Senator from North Carolina, who has been on his feet some time.

Mr. BAILEY. If the Senator will allow me, I yield to the Senator from Virginia.

Mr. BARKLEY. I am glad to yield to the Senator from Virginia.

Mr. GLASS. I merely wish to ask the Senator if he would not think it extraordinary if all the Republicans in the United States voted the Democratic ticket in the election?

Mr. BARKLEY. It might be extraordinary, but I would welcome it.

Mr. GLASS. Well, I would not. [Laughter.]

Mr. BARKLEY. Why not?

Mr. BAILEY. Mr. President, our distinguished leader is commending the Republicans for deserting their party and voting the Democratic ticket, I suppose on the ground that they exercised freedom in the performance of their duty. Now will he turn that around and commend the Democrats for going over and voting the Republican ticket this year?

Mr. BARKLEY. If any Democrat in the United States honestly and conscientiously believes it is his duty to vote for the Republican candidate for President or for a United States Senator, and does it in the exercise of his independent right because he believes it is his duty to do it, I will commend him. I may not agree with him, but I will commend him for his sincerity.

Mr. BAILEY. That makes it all right. Now I want to ask the Senator another question. This proposed legislation leaves mayors outside its terms. Frank Hague is a mayor and a great political boss; Kelly, of Chicago, is a mayor and a great political boss; LaGuardia is a mayor and quite an influential man. They come to Washington and get money from the Federal Treasury. New York City alone gets three times as much as the whole State of North Carolina. They are free to do what they please, those two bosses and the third man. But here is a humble fellow, occupying a minor place, whose hands are tied. Will the Senator explain to me how that can be reconciled with morality and common sense? Is he in favor of turning Frank Hague—"I am the law" Hague—and Boss Kelly loose with the money they come here and get, and then when my county of Wake, in North Carolina, gets a little appropriation having everybody's hands there tied? I merely wish to get that straight.

Mr. BARKLEY. In the first place, I do not wish to draw any invidious comparisons between Mayor Hague, Mayor Kelly, and Mayor LaGuardia.

Mr. BAILEY. I am not drawing any invidious comparisons. I am giving the facts under the operation of this bill. The Senator will agree that Mayor Hague is a great boss, will he not?

Mr. BARKLEY. I am making no comments on whether he is a boss or not; he is alleged to be, but whether he is or not makes no difference so far as the pending legislation is concerned.

Mr. BAILEY. He is an advocate of a third term for the President, and so is Kelly.

Mr. BARKLEY. That is their privilege.

Mr. BAILEY. And under this bill it is their business to get all the money they can, and spend it in politics, too.

Mr. BARKLEY. The Senator knows this bill eliminates all officers, such as Governors and mayors, because they are responsible to the people; they are not appointed by anybody; nobody holds any strings or power over them, unless it may be the President of the United States. If we are willing to say that before Mayor Hague or Mayor Kelly or Mayor LaGuardia or any other mayor can obtain funds for public-works projects the President of the United States is demanding a quid pro quo or proposes to exercise any control over them, then, he is indicting the entire democratic theory. I do not think the Senator from North Carolina would do that, and I do not think he believes that to be so.

Mr. BAILEY. I was very much intrigued by the Senator's statement that Mayor Hague was responsible to the people. I thought the people were responsible to Mayor Hague.

Mr. BARKLEY. The Senator can put any interpretation on that situation which suits him.

Mr. BAILEY. That is the way it works.

Mr. BARKLEY. But we all agree, though sometimes in theory it may be inaccurate, depending upon local conditions, that all elective officers are responsible to the people; the people can attend to them whenever they want to; they have done it frequently, and will do it, no doubt, in the future.

Mr. BAILEY. The Senator is referring to elective officers. What does he say about Mr. Farley and Mr. Ickes? They are not elective officers. And Mr. Thomas Corcoran—I never heard of anybody electing him to anything.

Mr. BARKLEY. Mr. Corcoran is not an elective officer.

Mr. BAILEY. But he is the most active politician in the country.

Mr. BARKLEY. I doubt that; I doubt it seriously, because I happen to know Mr. Corcoran. I have collaborated with him in the effort to frame legislation, as other Senators have, and his services have been many times very valuable because of the information which he was able to obtain and bring to the attention of committees. Mr. Corcoran, however, has been given credit, I will say to the Senator, for infinitely more political activity than I think he has ever been guilty of.

Mr. BAILEY. He could not possibly have been as great as some new dealers have made him out to be. I will agree to that.

Mr. BARKLEY. I am not making him out to be great, but I do say he has performed valuable public service, and I think any member of any committee of the Senate or the House who has had any experience with him in the hearings or had any collaboration with him in committees in the framing of legislation will be willing to pay him the tribute at least that his services have been valuable and helpful.

Mr. BAILEY. I will say to the Senator that I heard someone say of a certain lady that she would say nothing but good about anyone. Another man said, "Well, I will try her out." So he went to see her, and he said, "What do you think of the devil?" He thought he would get the better of her in that way. She said, "I will have to say that the devil is very industrious." [Laughter.]

Mr. BARKLEY. Well, good and bad are relative terms, and we frequently differ about them in politics.

Mr. BAILEY. I think the Senator's friend Corcoran has been very industrious. However, I should like to have the Senator come down to this point: Frank Hague being a great boss, and Mr. Kelly being a great boss, both being mayors, they could come down here and stick their hands in the Treasury just as deep as the bottom, and this bill would not affect them.

Mr. BARKLEY. I would say, if it affords the Senator any satisfaction to get a definition from me, that if Mr. Hague is a boss, he is a great boss; if Mr. Kelly is a boss, he is a great boss.

Mr. BAILEY. Yes; and great Democrats; but if they were Republicans, they would be monstrous.

Mr. BARKLEY. Not at all; not in the slightest; but I am not passing on the question whether they are or are not. I am commenting on the point raised by the Senator that, under this proposed legislation, they would be freer than the sheriff of his county. They would be no freer than the Governor of his State; they would be no freer than any other elective officer who has power by the expenditure of money or by the withholding of appointments or by the termination of appointments to control activities of citizens who may happen to hold subordinate offices under them.

Now, just a word as to the pending amendment. I have spoken longer than I intended, due very largely to the valuable interruptions I have had.

The amendment of the Senator from Colorado provides that not only the Hatch bill, if it shall be enacted, but the Hatch law as it now exists, shall not apply in any State unless the State legislature of that State meets and passes a law applying the same principle, the same standard, to all State employees. I do not believe, as a matter of principle and as a matter of policy, it is wise for the Congress to pass a law applicable to its own employees and applicable to its own activities and then provide that, while this is a national law controlling our employees, controlling our Federal activities, it shall not apply to any State unless the State applies the same standard to its own employees and its own activities. I do not believe that on principle or on policy that sort of spotty application of a Federal statute can be justified in the United States.

Mr. STEWART. Mr. President—

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Tennessee?

Mr. BARKLEY. I yield.

Mr. STEWART. Does not the Social Security Act have the same provision? Does it not require that certain requirements be met by the States?

Mr. BARKLEY. The social-security law requires, of course, that in order for a State to obtain any of the funds for old-age pensions, for instance, it must put up dollar for dollar. That is entirely different from a proposal to enact a penal statute punishing Federal employees for doing what Congress may think is an unjustified activity in the propagation of political candidacies.

Mr. STEWART. Does not the Social Security Act have penal provisions in it?

Mr. BARKLEY. Surely.

Mr. STEWART. Do they apply in the States?

Mr. BARKLEY. Of course, they do not apply in a State in which the law itself is not applicable and which is unwilling to put up any money in order to pay old-age pensions. Of course, it would be stupid for Congress to pass a law and prescribe penalties for the violation of that law unless the State complies with the law and raises an equal amount of money for the purpose of carrying it into effect.

Mr. STEWART. The point I made simply was that if the conformity statutes do not pass, then the penal provisions would not be in effect in the States.

Mr. BARKLEY. But it would be just as logical for Congress now to pass a law repealing the statute against pernicious activity on the part of the rural mail carriers unless the State legislature should pass a law fixing the same standard for all State employees. We never have done that, and certainly the Senate ought not now to do it.

Mr. JOHNSON of Colorado. Mr. President, I withdraw my amendment, and send to the desk another amendment which I ask to have stated.

The PRESIDING OFFICER. The pending amendment of the Senator from Colorado is withdrawn. The amendment now offered by the Senator from Colorado will be stated.

The LEGISLATIVE CLERK. In the committee amendment, on page 4, commencing with line 21, it is proposed to strike out

the sentence ending in line 22 on the same page and in lieu thereof to insert the following:

No officer or employee described in the preceding sentence shall take any active part in political management or in any political campaign: *Provided*, That this sentence and the second sentence of section 9 of Public, No. 252, Seventy-sixth Congress, first session, approved August 2, 1939, shall not apply to any such officer or employee as defined in said act or in this sentence in any State, the laws of which do not forbid the officers and employees of such State or agency of the general class above described from taking any active part in political management or political campaigns.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado to the amendment reported by the committee.

Mr. McKELLAR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Johnson, Colo.	Reynolds
Ashurst	Donahay	La Follette	Russell
Austin	Ellender	Lee	Schwartz
Bailey	Frazier	Lodge	Sheppard
Bankhead	George	Lundeen	Shipstead
Barbour	Gerry	McCarran	Smathers
Barkley	Gibson	McKellar	Smith
Billbo	Gillette	McNary	Stewart
Brown	Glass	Maloney	Taft
Bulow	Green	Mead	Thomas, Idaho
Burke	Guffey	Miller	Thomas, Okla.
Byrd	Gurney	Minton	Thomas, Utah
Byrnes	Hale	Murray	Townsend
Capper	Harrison	Neely	Truman
Caraway	Hatch	Norris	Tydings
Chandler	Hayden	Nye	Vandenberg
Chavez	Herring	O'Mahoney	Van Nuys
Clark, Idaho	Hill	Overton	Wagner
Clark, Mo.	Holman	Pepper	Walsh
Connally	Holt	Pittman	White
Danaher	Hughes	Reed	

The PRESIDING OFFICER. Eighty-three Senators having answered to their names, a quorum is present. The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. JOHNSON] to the amendment reported by the committee.

Mr. HATCH. I call for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. McNARY (when his name was called). On this question I have a pair with the senior Senator from Illinois [Mr. LUCAS], who is necessarily absent. If he were present, he would vote "yea." If I were at liberty to vote, I should vote "nay." I withhold my vote.

The roll call was concluded.

Mr. BYRD. On this question I have a pair with the Senator from Wisconsin [Mr. WILEY]. Were he here, he would vote "nay." If I were at liberty to vote, I should vote "yea."

Mr. MINTON. I announce that the Senator from Washington [Mr. BONE] and the Senator from Utah [Mr. KING] are absent from the Senate because of illness.

The Senator from California [Mr. DOWNEY], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Washington [Mr. SCHWELLENBACH], the Senator from Illinois [Mr. SLATTERY], and the Senator from Montana [Mr. WHEELER] are detained on important public business.

The Senator from Florida [Mr. ANDREWS] and the Senator from Illinois [Mr. LUCAS] are unavoidably detained.

The Senator from Illinois [Mr. SLATTERY] is paired with the Senator from New Hampshire [Mr. TOBEY]; the Senator from Utah [Mr. KING] is paired with the Senator from California [Mr. JOHNSON]; and the Senator from Florida [Mr. ANDREWS] is paired with the Senator from New Hampshire [Mr. BRIDGES]. I am advised that, if present and voting, the Senator from Illinois, the Senator from Utah, and the Senator from Florida would vote "yea", and that the Senator from California and the Senators from New Hampshire would vote "nay."

Mr. THOMAS of Utah. I am advised that my general pair [Mr. BRIDGES] is otherwise specially paired on this vote, and I am, therefore, free to vote.

Mr. AUSTIN. I announce the following pairs:

The Senator from New Hampshire [Mr. TOBEY] with the Senator from Illinois [Mr. SLATTERY]. If present, the Sen-

ator from New Hampshire would vote "nay," and the Senator from Illinois would vote "yea."

The Senator from California [Mr. JOHNSON] with the Senator from Utah [Mr. KING]. If present, the Senator from California would vote "nay," and the Senator from Utah would vote "yea."

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Wisconsin [Mr. WILEY], the Senator from California [Mr. JOHNSON], and the Senator from New Hampshire [Mr. TOBEY] are unavoidably absent.

The result was announced—yeas 34, nays 47, as follows:

YEAS—34

Adams	Clark, Idaho	Herring	Minton
Bailey	Connally	Hill	Pepper
Bankhead	Donahay	Hughes	Pittman
Billbo	Ellender	Johnson, Colo.	Smathers
Brown	Gillette	Lee	Smith
Bulow	Glass	Lundeen	Stewart
Byrnes	Guffey	McKellar	Thomas, Okla.
Caraway	Harrison	Maloney	
Chavez	Hayden	Miller	

NAYS—47

Ashurst	Gerry	Murray	Taft
Austin	Gibson	Neely	Thomas, Idaho
Barbour	Green	Norris	Thomas, Utah
Barkley	Gurney	Nye	Townsend
Burke	Hale	O'Mahoney	Truman
Capper	Hatch	Overton	Tydings
Chandler	Holman	Reed	Vandenberg
Clark, Mo.	Holt	Reynolds	Van Nuys
Danaher	La Follette	Russell	Wagner
Davis	Lodge	Schwartz	Walsh
Frazier	McCarran	Sheppard	White
George	Mead	Shipstead	

NOT VOTING—15

Andrews	Downey	McNary	Tobey
Bone	Johnson, Calif.	Radcliffe	Wheeler
Bridges	King	Schwellenbach	Wiley
Byrd	Lucas	Slattery	

So the amendment of Mr. JOHNSON of Colorado to the amendment reported by the committee was rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as amended.

Mr. BARKLEY. Mr. President, I feel again that we might very well enter into an agreement about a final vote on the pending bill, and inasmuch as there has just been a roll call, I could ask unanimous consent that the calling of the roll for the purpose of developing a quorum be waived in that connection.

I ask unanimous consent that at not later than 5 o'clock p. m. tomorrow the Senate shall proceed to vote without further debate on the bill and all amendments thereto, and on any motion relating thereto.

Mr. ADAMS. Mr. President, I made a suggestion yesterday to the Senator from Kentucky that I would be unwilling to have a definite agreement unless there were some very small time, as short a time as 10 minutes, for the explanation of amendments which might be submitted within 10 minutes or 5 minutes of the time for a vote, that there might be a period within which the amendment could be explained.

Mr. BARKLEY. The difficulty about that, though it may not be insurmountable, is that no one can tell how many amendments might be offered at the last minute which would require 10 minutes' discussion.

Mr. ADAMS. The difficulty will be that there will be no unanimous-consent agreement unless some such arrangement can be made.

Mr. BARKLEY. Of course, I cannot control that.

Mr. ADAMS. All I am asking is a reasonable time. An amendment might be submitted, and a Senator could not even ask to have it explained.

Mr. McNARY. Mr. President, I suggest that a limitation of debate, perhaps at 3 o'clock, be entered into.

Mr. BARKLEY. I was about to ask whether the Senator from Colorado would be willing to agree that beginning tomorrow at 2 o'clock, or 3 o'clock—I will say 3 o'clock—no Senator shall speak more than once or longer than 20 minutes on the bill or any amendment, and that at not later than 6 o'clock a final vote be taken on the bill and all amendments.

Mr. ADAMS. I do not desire to be obstructive; all I want to have is an opportunity, if an amendment is offered, to know

at least what the amendment means. An amendment might be offered 1 minute before 5 or 10 minutes before 5. I would just as soon have a vote taken this afternoon, so far as I am concerned.

Mr. BARKLEY. Of course, the Senator understands that the request I have submitted does not preclude the offering of amendments after the time for debate shall be concluded, which is frequently the case. Senators offer amendments and they are voted on without discussion. I have no desire at all to prevent any Senator from discussing any amendment which may be offered, but if we are ever to come to a vote, we will have to fix some time. If we fix 5 o'clock or any other hour as the hour for voting, and then provide that if after that time any amendment which may be offered may be discussed, it would be of no avail. If the Senator has a practical suggestion as to how to work out what is in his mind, and will submit it, I will attempt to go along with him.

Mr. ADAMS. My suggestion is that if amendments are offered within 10 minutes of the time fixed for a vote, we should extend the time 5 minutes, or 10 minutes.

Mr. BARKLEY. I am willing to try that out.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. MILLER. I do not propose to do anything to prevent an early disposition of the pending bill; but before agreeing to a limitation of debate on amendments, there are some of us, in view of some rumors and reports which have been floating about, who would like to know the nature of some of the amendments. If certain bills are to be proposed as amendments to the pending bill of which I have heard rumors, and of which other Senators have heard rumors, there will be a long debate on the bill and amendments.

I do not desire to be captious with the Senator, because I want to expedite the disposition of the bill. I have already said all I care to say about the bill, but the Senator can understand, in view of certain reports which have been prevalent, that some of us could not agree unless we had a gentleman's agreement, which would be entirely satisfactory to me, that certain bills, which some Senators would feel disposed to oppose as vigorously as they might and as long as they might, are not to be offered as amendments.

Mr. BARKLEY. Of course, the Senator knows I cannot guarantee that any amendment or any bill will not be offered. I think I understand what the Senator has in his mind as to the rumors.

Mr. MILLER. I am sure the Senator does.

Mr. BARKLEY. I am hoping, and I think the hope is justified, that the particular matter which the Senator has in mind will not be injected into the consideration of the pending bill.

Mr. ADAMS. If the Senator will allow me to make a suggestion, I suggest that in the unanimous-consent agreement he include a provision that no amendment shall be considered which is not submitted or filed at least 10 minutes before the final vote is to be taken.

Mr. BARKLEY. I doubt whether that would be agreed to. I will modify my request in this way: I ask unanimous consent that the Senate proceed to vote at 5 o'clock, as I have already requested, with a proviso that if within 10 minutes prior to 5 o'clock, I will say 4:50 o'clock p. m. tomorrow afternoon, other amendments are offered which are not offered prior to that time, the time shall be extended to an hour not later than 6 o'clock p. m. tomorrow, at which time we shall vote on the bill.

Mr. MILLER. That would not be satisfactory. Let me offer a suggestion. I have no objection to a limitation of debate, and have no objection to the hour of voting being fixed, provided no amendments are offered which are not germane to the bill. If our leader will incorporate in the agreement a provision which will exclude amendments which are not germane to the bill, I will have no objection.

Mr. BARKLEY. I was about to come to that very proposal—to see if we could reach an agreement by unanimous consent that nothing but germane amendments should be offered to the pending bill.

Mr. MILLER. With that included, I have no objection.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. McNARY. The question of germaneness rests wholly with the Members of the Senate. I have no objection, but, as a practical proposition, I think the Senator can understand that if the bill about which he speaks should be offered, the question whether it was germane or not would rest with the Members of the Senate, and if it is a popular bill they might decide it was germane.

Mr. MILLER. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. MILLER. I realize that decision of the question of germaneness rests with the Senate, but I think every Member of the Senate knows what the Senator from Arkansas has in mind, and I am one of those Members of this body who believe that if the Senate enters into such an agreement, the word "germaneness" will be given the construction ordinarily given that word, and no amendment will be proposed which is not germane to the issue before us. I have no fear about the good faith of the Senate.

Mr. BARKLEY. Mr. President, it has often been stated that the Senate can do anything by unanimous consent. I think that if unanimous consent were given that none but germane amendments should be offered to the bill, it would be interpreted as the equivalent of a suspension of all other rules in contravention of that, including the rule referred to by the Senator from Oregon; and in that case, of course, the Chair would pass upon the question of germaneness. All I am seeking to do is to accommodate Senators who are willing to bring this matter to a termination.

Mr. BILBO. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. BILBO. I am afraid the Senator is a little bit premature in trying to reach an agreement to fix an hour to vote on the bill and all amendments thereto. For one, I shall be forced to make objection until I know more about the amendments. The Senator from Alabama [Mr. BANKHEAD] has offered an amendment which will require considerable discussion. I think it has at least as much merit as any other amendment that has been offered, if not more. I think it will bring about an extended discussion.

Mr. President, I am not trying to be an obstructionist, but I shall be compelled to object to any agreement limiting the time of debate on the bill or any of its amendments.

As to the amendment referred to by the distinguished Senator from Arkansas [Mr. MILLER], we all know what he was talking about. He was talking about the antilynching bill. I think that is germane to the pending bill [laughter], because the bill is an attempt to lynch the rights of the citizens of the States by the Federal Government. It is an invasion of States' rights. So is the antilynching bill, and the antilynching bill is germane to this bill. Therefore I shall object to any agreement at this time.

The PRESIDING OFFICER. Objection is heard.

Mr. BARKLEY. I modify my request to this extent: That beginning tomorrow at 3 p. m. no Senator shall speak more than once nor longer than 30 minutes on the bill or any amendment thereto.

Mr. BILBO. I object.

The PRESIDING OFFICER. Objection is heard.

The question is upon the committee amendment as amended.

Mr. CLARK of Missouri. On that I ask for the yeas and nays.

The PRESIDING OFFICER. Evidently there is a sufficient number.

Mr. McKELLAR. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Barbour	Burke	Chandler
Ashurst	Barkley	Byrd	Chavez
Austin	Bilbo	Byrnes	Clark, Idaho
Bailey	Brown	Capper	Clark, Mo.
Bankhead	Bulow	Caraway	Connally

Danaher	Herring	Murray	Stewart
Davis	Hill	Neely	Taft
Donahey	Holman	Norris	Thomas, Idaho
Ellender	Holt	Nye	Thomas, Okla.
Frazier	Hughes	O'Mahoney	Thomas, Utah
George	Johnson, Colo.	Overton	Townsend
Gerry	La Follette	Pepper	Truman
Gibson	Lee	Pittman	Tydings
Gillette	Lodge	Reed	Vandenberg
Glass	Lundeen	Reynolds	Van Nuys
Green	McCarran	Russell	Wagner
Guffey	McKellar	Schwartz	Walsh
Gurney	McNary	Sheppard	Wheeler
Hale	Maoney	Shipstead	White
Harrison	Mead	Slattery	Wiley
Hatch	Miller	Smathers	
Hayden	Minton	Smith	

The PRESIDING OFFICER. Eighty-six Senators have answered to their names. A quorum is present.

The question is on the committee amendment, as amended.

Mr. BANKHEAD. Mr. President, I should like to submit a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BANKHEAD. I understood the statement of the Chair to be that the question is on the committee amendment—

The PRESIDING OFFICER. On the committee amendment as amended.

Mr. BANKHEAD. Has the amendment at the end of the bill, dealing with the Civil Service Commission, been acted on?

The PRESIDING OFFICER. Several amendments were made to the committee amendment. The Senator from Wyoming offered an amendment to the committee amendment and other Senators offered amendments which have been adopted. The Chair does not know the specific amendment to which the Senator refers.

Mr. BANKHEAD. I am trying to find out whether or not the amendment which I offered yesterday and which was printed in the CONGRESSIONAL RECORD, is in order at this time.

The PRESIDING OFFICER. Does the Senator from Alabama refer to the amendment which he offered yesterday?

Mr. BANKHEAD. Yes. The parliamentary inquiry I make is whether or not my amendment may now be offered as an amendment to the committee amendment.

The PRESIDING OFFICER. The Chair is advised that it could be added at the end of the committee amendment on page 7, after line 18.

Mr. BANKHEAD. It is so tendered. I call up that amendment at this time.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 7, after line 18, it is proposed to insert the following new section:

SEC. —. (a) Excessive financial aid to any candidate or expenditures by any candidate for an elective Federal office is a pernicious political activity and is hereby declared to be illegal. The President of the United States for the purpose of this act is declared to be an elective officer.

(b) Excessive financial aid to any political committee engaged in furthering, advancing, or advocating the election of any candidate for a Federal office, or any committee engaged in furthering, advancing, or advocating the success of any national political party is a pernicious political activity and is hereby declared to be illegal.

(c) Any amount expended, contributed, furnished, or advanced by one person or corporation directly or indirectly in excess of \$1,000 is hereby declared to be excessive financial aid.

(d) Any person or the officers of any corporation who directly or indirectly contributes more than \$1,000 during any calendar year or for use in any one campaign or election in violation of the provisions of this section is guilty of pernicious political activity and on conviction shall be fined not less than \$5,000 and also sentenced to the penitentiary for not less than 5 years. It shall be the duty of the court to increase the fine in accordance with the amount contributed and with defendant's ability to pay.

Mr. BANKHEAD. Mr. President, I desire to modify my amendment on page 2, line 5, after the word "person" to strike out "or corporation", and on page 2, line 8, after the word "person" to strike out "or the officers of any corporation."

The PRESIDING OFFICER. The Senator has the right to modify his amendment.

Mr. BANKHEAD. The purpose of the change is to eliminate corporations from the amendment, and leave it directed to individuals. The purpose is to leave no doubt with respect to the construction of the present Corrupt Practices Act prohibiting corporations from making political contributions.

Mr. President, at the beginning I wish to say that my remarks are not intended to be time consuming. This amendment is offered in entire good faith, and in large measure for the purpose of testing the good faith of a number of Members of the Senate who claim that they are supporting the bill as a matter of clean politics and for the elimination of unclean, unfair, and corrupt methods of conducting elections in this country. I want to see if the Members on the other side of the aisle who are unanimously supporting a clean-election and clean-politics program will go one step further. I want to see if they will take a step which would really tend to purify elections in America.

We all know that money is the chief source of corruption. We all know that large contributions to political campaigns not only put the political party under obligation to the large contributors, who demand pay in the way of legislation, but we also know that large sums of money are used for the purpose of conducting expensive campaigns through the newspapers and over the radio; in the publication of all sorts of literature, true and untrue; and for the purpose of paying the expenses of campaigners sent out into the country to spread propaganda, both true and untrue. It is, of course, true that regardless of which party engages in such activity the result is the same. The amendment is not addressed to the Republican Party, though I maintain that it brings about a test of their sincerity in the claim that they are now standing as a unit helping to bring about clean politics and clean elections. As I see it, it brings about a similar test with other Members of the Senate.

The bill has been differently construed by different Members of the Senate—in my judgment, in large measure, in good faith. There has been a difference of opinion about the construction of the bill. There has also been a wide difference of opinion about the objective of the bill. Some Senators sincerely think it would tend to elevate and purify politics in elections. From the standpoint of the corrupt-practice provision in it, that is undoubtedly true.

So far as the first eight sections of the original Hatch Act are concerned, to my mind there is no objection to those provisions, except that in some cases they do not go far enough. According to the language used, the first eight sections are intended to control the activity of certain Government officials who are entrusted with the administration of the law and who have policy-forming powers under the law.

If, in bringing about a degree of additional purity in elections by curbing the activities of the higher-up officials, we at the same time place shackles upon those lower down the line, in large measure we deprive them of their full citizenship. We say to a W. P. A. worker that he may not participate in any active way in the elections in the town in which he is engaged in work. Just what limitations the bill provides against taking any part in politics is a matter of difference of opinion, as I have indicated; but whenever a suggestion is made that the thing to be condemned and prohibited should be pernicious political activity, according to the title of the bill and in line with its declared purpose to prevent pernicious political activity, we find at once a protest from the sponsors of the bill. Why? If the object is in line with the title of the bill, if the title is a sincere, open, frank declaration of the purpose of the bill, then why should not the bill follow the title? What is the objection to letting the provisions of the bill correspond with the declaration contained in the title of the bill, "To prevent pernicious political activities"? Why put a cloud over the rights of every humble citizen in America who is engaged in some activity, national, State, municipal, or district, with respect to which some part of the compensation comes from the Federal Treasury, without permitting him to know what the restrictions are?

It is said, "the Civil Service Commission will tell him what they are." Mr. President, is that fair to a worker? Is it fair to an honest man who wants to be a full-fledged citizen, and who, on the other hand, does not want to violate the law of the country, to say to him, "Go to Washington and consult the Civil Service Commission before you can find out what rights you are entitled to exercise under this law?"

What is the result? What is the common-sense application of such a rule? It simply means that all doubt about the construction of the act, all doubt about what activities the common, unlearned laborer may participate in, must of necessity be resolved by the worker against his own political and personal independence and right to participate with his neighbors in all elections and campaigns of every character.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. CONNALLY. Does the Senator from Alabama construe section 15, which authorizes the Civil Service Commission to issue regulations, to mean that this year the Commission may issue one set of regulations denouncing certain offenses, and next year may change its mind and issue a new set for some other election or some other situation?

Mr. BANKHEAD. Of course, it could change the regulations overnight. There is no limitation of time on the issuance of regulations.

Mr. CONNALLY. If that be true—and I do not know whether or not it is true—does not that mean setting up a little legislative body in the Civil Service Commission?

Mr. BANKHEAD. Oh, yes.

Mr. CONNALLY. And allowing it to regulate politics?

Mr. BANKHEAD. It is a migratory, roving power. We do not know what it is. It is not stable. It is not fixed. It is fixed by three Commissioners in Washington, and may be changed from time to time without notice and without publication.

Mr. HATCH. The law now covers more than half a million individuals.

Mr. BANKHEAD. The Senator says the law now covers more than half a million individuals. It is now proposed to put another half million under it. I have not heard of any especially good results obtained by controlling the half million now subject to the law. I have not heard of any enforcement of the law since it was passed. I have not heard of any prosecution or discharge.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. CONNALLY. Of course, the power we give the Civil Service Commission to make regulations also contains the power to do away with regulations.

Mr. BANKHEAD. Of course.

Mr. CONNALLY. Would it not be possible in some instances for the Civil Service Commission to relax its restrictions by issuing new regulations?

Mr. BANKHEAD. If it may issue them, it may repeal them.

Mr. CONNALLY. And practically destroy the effect of the act.

Mr. BANKHEAD. That is absolutely true. That is one reason why I am reluctant to vote for the bill. I do not believe it is right or just, I do not believe it is democratic, to tell a worker on the public road that he may not take part in the election of a member of the legislature from his county.

Mr. CONNALLY. Or a school trustee.

Mr. BANKHEAD. Or a school trustee; but particularly a member of the legislature, under circumstances in which an issue may exist with respect to the appropriation of State funds to match Federal funds.

The worker upon the road, a humble citizen in overalls, is precluded from engaging in any sort of controversy about the election of a member of the legislature of his State. The controversy may involve the issue of continuance of the road work. Can there be any impurity in allowing the worker the same freedom of action which we allow to the man who is working alongside the road on a job which does not involve the payment of any Government money?

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. LUNDEEN. Is it the able Senator's opinion that under such a law millions of working people would be gagged?

Mr. BANKHEAD. They are already gagged under section 9 of the Hatch Act.

Mr. LUNDEEN. The proposed law would increase the number.

Mr. BANKHEAD. The proposed law would increase the number by a very large, indefinite, and indeterminate amount.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. BANKHEAD. Yes; I yield.

Mr. BROWN. I stated the other day that the legislation now affects possibly 1,200,000 Federal employees, and it had a possibility of affecting 2,600,000 State and local employees.

Mr. LUNDEEN. If the Senator will permit me, is that in addition to the first number?

Mr. BROWN. That is in addition to the 1,200,000 Federal employees who are now affected. This legislation may affect 2,600,000 State and local employees. Let me tell the Senator that I obtained those figures from the statistics we received from the Treasury Department as to State employees who would be subject to the Federal income-tax law.

Mr. LUNDEEN. The total would be some four or five million persons, then; would it not?

Mr. BROWN. Approximately 4,000,000 persons are subject to the provisions of the bill.

While I am on my feet, if the Senator will permit, I should like to make one other observation. Not only does the bill prevent political activity in elections such as the Senator has referred to, but it would prevent political activity in an election, we will say, in which the question of whether or not moving-picture shows were to be open on Sunday was the issue, or whether the curfew should be at 9 o'clock or 10 o'clock at night. The bill definitely applies to that kind of an election.

Mr. BANKHEAD. It applies, as I understand, to any election of any sort—National, Federal, State, county, municipal, or district.

Mr. SMATHERS. Mr. President, will the Senator yield for a question?

Mr. BANKHEAD. I shall be glad to yield.

Mr. SMATHERS. In the gubernatorial elections in my State of New Jersey in past years, Mr. Pew, of Pennsylvania, has come into the State and, through different members of his family, has contributed amounts of \$5,000 and \$10,000, so that the total amount contributed by him through different members of his family would run as high as \$70,000. Would the Senator's amendment prohibit that outrage from taking place again?

Mr. BANKHEAD. Yes, it certainly would; but I am afraid we cannot get sufficient votes to adopt it. It might swamp the Hatch purity bill. We shall find out when we get through.

I desire to alter one statement I made to the Senator from Minnesota when I said that the bill would apply to all elections. It would apply to participation in election activities by employees who get any part of their compensation from the Federal Treasury, however much, whatever question may be involved. The bill is limited in that respect, of course. That is where we get the total of four or five million workers who get some part of their pay from Federal loans or grants. The application of the bill is not confined to grants. It applies also to reimbursable secured loans, as I understand, made by the Reconstruction Finance Corporation, and all other reimbursable loans made by the Government; so it applies to such persons as workers upon irrigation projects if they are employed by an agency of the Government of any kind.

I submit to the Senator that the trend back toward limiting the number of persons who have freedom of citizenship, freedom of activity in public affairs, is clearly a drive toward dictatorial government. That is exactly what Hitler and Mussolini have done in bringing about their domination and autocratic control of the dictatorial nations. They have destroyed political parties, not only those who got benefits

from the Government but all other parties. They have reduced, step by step, the number of persons who could participate in elections, and finally have eliminated all citizens from free participation in governmental affairs in their respective countries.

Mr. CONNALLY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Does the Senator from Alabama yield to the Senator from Texas?

Mr. BANKHEAD. I do.

Mr. CONNALLY. Has the Senator's attention been called to the fact that the Secretary of Agriculture has ruled that local committees for the administration of the Farm Act—prominent citizens who are selected simply to give their time to helping administer the law, who are not salaried men at all, but are paid, I think, only their expenses and perhaps some nominal sum by way of per diem—are amenable to the existing Hatch Act? If I am not correct in that statement, I shall be glad to be corrected.

Mr. HATCH. Mr. President, the statement is not correct. The ruling was that they were not under the Hatch Act.

Mr. CONNALLY. I read that statement in the newspapers.

Mr. BANKHEAD. Yes; but the newspapers got it wrong.

Mr. HATCH. That statement was in the newspapers, but it was wrong.

Mr. CONNALLY. I am very glad to be corrected. I read in the press a statement that the Secretary of Agriculture had so ruled. If it was corrected later, I am glad.

Mr. BANKHEAD. Let me state to the Senator, in line with the trend here toward limiting the right of citizenship in this country, that notice has already been given that an amendment will be offered by the senior Senator from Minnesota [Mr. SHIPSTEAD] to include elective county committeemen and community committeemen, elected by the people. I do not know whether or not the Senator is going to follow up his amendment. I saw it mentioned in the newspapers more than once. That shows the trend of a drive of this sort, when there is an inclination and a notice of intention to go down to the grass roots and take out of public participation committeemen who work by the day at a meager wage, largely rendering a community service. Simply because some part of their compensation comes from the Government they will thereafter be prohibited from taking any part in an agricultural-program controversy.

Mr. HATCH and Mr. LUNDEEN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Alabama yield; and if so, to whom?

Mr. BANKHEAD. I yield to the Senator from New Mexico.

Mr. HATCH. Mr. President, I desire to straighten out the Senator a little on some of his statements in connection with his desire to protect the committeemen.

Mr. BANKHEAD. Very well. I shall be glad to have the Senator do so.

Mr. HATCH. It is true that the Solicitor of the Agricultural Department ruled that local committeemen do not come under the provisions of the act we passed last summer and are not within its ban; but it is also true that under authority granted by the Congress of the United States to a department official, under legislation voted for and worked for by the Senator from Alabama, the Secretary of Agriculture has announced his own ruling forbidding committeemen in the various counties to participate actively in politics. I ask the Senator whether Congress should pass the laws, whether those men should be forbidden by congressional act, or by decree from a Secretary of Agriculture.

Mr. BANKHEAD. The answer is as simple and plain as the English language. They should not be so forbidden by Congress nor by a dictatorial order of the head of a department.

Mr. HATCH. The order has been entered.

Mr. BANKHEAD. That is all right. I did not participate in it, and I will vote to repeal it.

Mr. HATCH. The Senator from Alabama sponsored legislation giving power to make those regulations and he has sponsored far stronger legislation giving power than this legislation. I will read it to the Senator.

Mr. BANKHEAD. I sponsored no legislation with knowledge or notice or information that it would be so construed as to set up regulations to limit and reduce the right of citizenship in this country. If I did, I did not know it, and I regret it.

Mr. HATCH. That has been done.

Mr. BANKHEAD. I know it has been done by regulation of some sort. I found that out.

Mr. LUNDEEN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Minnesota?

Mr. BANKHEAD. I yield to the Senator.

Mr. LUNDEEN. When the Senator referred to "the Senator from Minnesota," he was not referring to the junior Senator?

Mr. BANKHEAD. No; I said I was referring to the senior Senator from Minnesota [Mr. SHIPSTEAD].

Mr. President, that is one of the features of the pending legislation which is disturbing to me. I have frequently stated on and off the floor of the Senate that I have no sort of objection to any possible limitation that is intended to and will preserve and prevent and punish coercion, intimidation, and suppression of the rights of employees and subordinates of the Government. Wherever such a thing raises its head anywhere, I want to see it knocked down, and the Senator from New Mexico is entitled to very great credit for covering that phase of the unfortunate things which have happened in a number of States with reference to Federal employment. But when he concluded his splendid effort to abolish and prevent coercion and intimidation, he took a step further, to bring under the law the activities of those who had been coerced and intimidated, so that while not yet coerced and intimidated, still they could not engage in that degree and quality of citizenship in which workers for other employers in this country have the right to engage. That is where I stop, because I fear the trend of that sort of legislation.

There is no situation in my home State which brings me to the acceptance of these views. We have no machine there; we have no personal machine, no party machine. Our controversies are settled in the open. So, in effect, so far as personal and political helpfulness or injury is concerned, this plan to intimidate and put a limitation upon the rank and file of Federal workers raises no question of personal, political, or selfish interests, but merely raises the great, dominant question of whether or not we should with liberality, without definitions and restrictions, prevent workers everywhere, not as applied to those under the civil service only, and not confined to those who have a life tenure to office, not confined to Federal career workers, not confined to workers who have the benefit of security in their old age under retirement funds. In addition to those under the civil service, we are asked to bring under the law employees who may be under it this month, because they are working on a road project in which the Government has participated, getting off W. P. A. the next month and working on another project. One month they may be under the law, the next month they may not be under the law, and so it goes; they are in and out.

When we say a man must not engage in any political activity, what do we mean? I have asked the Senator from New Mexico, the author of the bill. He says the Civil Service Commission has ruled on that, and that the courts have ruled on it. I submit this suggestion now in no captious way, if it has been made clear by the courts and is already fixed in the law, why is it not written into the proposed law?

We all know civil-service rules and decisions are not available to the public in general. We know that the decisions of the courts upon these questions are not available to the public. I think there are very few decisions as to what constitutes engaging in a political activity, but whatever few there may be are not known to the public at large.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. MINTON. I call the Senator's attention to a publication issued by the Civil Service Commission entitled "Political Activities and Political Assessments of Federal Officeholders and Employees." On page 2, paragraph 2 starts out with this sentence:

It is impossible to give a complete list of the particular activities in which an employee may not engage.

Mr. BANKHEAD. That is the Civil Service Commission?

Mr. MINTON. The Civil Service Commission itself.

Mr. BANKHEAD. I did not know they had said that, but I knew there was some good reason why the sponsors of this bill would not undertake to put such a provision in the bill.

Mr. MINTON. The Civil Service Commission admits that it is an impossible task for them; yet we are asked to give them the authority to do it piecemeal in such a manner as they may see fit to adopt from time to time.

Mr. BANKHEAD. I submit to the deliberate judgment of the Members of the Senate that they waive their partisanship in this matter. It is a subject of serious concern. There is a declaration that the workers cannot engage in any political activity, and we are unable to get a definition to put into the law, or rules as to what specific things are prohibited. No one knows. The Senator from New Mexico may know. He knows more about it than anyone else, because he has studied it more diligently than anyone else and has studied it honestly and sincerely. I would not impugn his motives. I would walk out of the door of the Senate before I would do that. But here is a positive statement from the Civil Service Commission itself, the very body which is picked by the sponsors of the proposed legislation, which has ruled, which has made it a matter of common knowledge which ought to be known to every street worker in this country. We are presumed to know the law. It is the conclusive presumption that every man and woman knows the law.

What constitutes political activity? Who can tell me? Who can cover the field? Some activities in connection with politics, it may be said, do not constitute political activities. If they are flagrantly offensive, it may be said that they are pernicious political activities. But there is a great border line between the two which would, in fact, doubtless cover the great masses of plain, honest working people of this country who draw some compensation from the Government.

Suppose a man makes a mistake about it. Suppose a road worker getting some pay from the Government meets on the roadside a neighbor who is interested in a campaign for the election of a member of the legislature, or a member of the school board. Suppose they have a heated argument about the election. Perhaps community meetings are held for discussion of the issues, and this poor truth-seeking worker drifts into the meeting, or slips up sufficiently close to listen at the window or the door to the argument, and someone reports him to a political boss who is on the other side of the party fence, and he is convicted under section 9. What happens to him?

I call attention now to a matter which I have not heard discussed on the floor of the Senate, although it may have been referred to. Whenever a man is dismissed by a boss, what is the extent of his punishment under section 9? It is a life sentence, so far as his thereafter ever working in the same type of position, where Government money is involved, is concerned. It is as bad as kidnaping.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. MINTON. This afternoon I discovered the same thing that the Senator is now talking about. It is the last provision in section 9 of the act. If a man is ever discharged from a Federal position under section 9 of the Hatch Act, he is forever barred from being employed in any Government job where he is paid from a Government appropriation.

Mr. BANKHEAD. It is, as I said, a total life sentence.

Mr. MINTON. A life sentence.

Mr. BANKHEAD. It is really a death sentence, so to speak. No pardoning board exists.

Mr. MINTON. And that provision is contained in the act which is now in effect.

Mr. BANKHEAD. Yes; I am aware of that fact. No provision is made for suspension of any sort in the rules. No appeal of any kind is provided for. Yet some persons think that because some Senators voted to repeal that section we advocate impure elections.

Mr. President, there are two kinds of punishment contained in the act and also in the bill. There is the punishment for life. No one will argue differently.

Mr. HATCH. I do.

Mr. BANKHEAD. The Senator disputes that?

Mr. HATCH. Yes.

Mr. BANKHEAD. I am astonished. I will read the provision and let others decide for themselves.

Section 9, subdivision (b):

Any person violating the provisions of this section—

That is section 9—

shall be immediately removed from the position or office held by him.

By whom? It does not say, but I presume by the boss.

And thereafter no part of the funds appropriated by any act of Congress for such position or office shall be used to pay the compensation of such person.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. HATCH. I may say to the Senator that some of the departments have construed that in exactly the opposite manner from the way the Senator has construed it.

Mr. BANKHEAD. I will ask the Senator, What departments?

Mr. HATCH. They have pointed it out as being one of the weaknesses of the measure; that if the person is merely removed the law is complied with, and he can be rehired.

Mr. BANKHEAD. What department has so construed the language?

Mr. HATCH. I shall discuss that tomorrow.

Mr. BANKHEAD. It needs discussion.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. BARKLEY. Does the Senator desire to continue his discussion now?

Mr. BANKHEAD. I should prefer to wait until tomorrow. I have not come to the chief part of my argument concerning "boodle and money bags."

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. BAILEY, from the Committee on Commerce, reported favorably the nominations of sundry persons for appointment and several officers for promotion in the Coast Guard.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee that the nominations of postmasters be confirmed en bloc? The Chair hears none, and it is so ordered.

That completes the Executive Calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, March 13, 1940, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 12 (legislative day of March 4), 1940

POSTMASTERS

ALASKA

Brigham Y. Grant, Wrangell.

ARKANSAS

Bascom B. Bevens, Booneville.
Grover L. Webb, Delight.
James Thweatt, De Valls Bluff.
Andrew J. Clemmons, Grady.
Parker D. Clear, Hardy.
Allen T. Cowden, Horatio.
William J. Martin, Humphrey.
Benjamin F. Thompson, Jacksonville.
Aleen W. Holmes, Perryville.
William F. Bryant, Quitman.
Ernest A. Stockburger, West Fork.

IOWA

Ruth F. Hollingshead, Albia.
Myrtle A. Barnes, Delhi.
Mabel Crane, Dexter.
Howard E. Reichard, Knoxville.
Lee E. Finders, Oelwein.
Olive C. Raders, Strawberry Point.
Irene C. Schmidt, West Point.

MICHIGAN

Henry H. Sibole, Breedsville.
John H. Sauvola, Chassell.
Donald L. Lockwood, Fowlerville.
Florence M. Meier, Fraser.
John W. Currigan, Lyons.
Rosie J. Barnes, Maple Rapids.
Ethel Wood, Rives Junction.
Ida Parker, The Heights.

MISSISSIPPI

Rosa W. Burton, Alligator.
Eloise G. Stephens, Artesia.
Christopher R. Berry, Benton.
Bessie L. Sisson, Beulah.
William G. Sloan, Northcarrollton.
Andrew J. Roper, Saltillo.
Marion Carl Ferguson, Walnut Grove.

MISSOURI

Richard E. Sincox, St. Clair.

NEVADA

Ernest H. Bath, Carson City.

TEXAS

Edith P. Robinson, Alvarado.
Miss John Gilliland, Baird.
Leon L. Rosner, Bellaire.
Robert E. Sneed, Sr., Deer Park.
Edward E. Layton, Eastland.
Eleanor H. Shobert, Fairbanks.
Charles E. Cade, Genoa.
Clara C. Redford, Johnson City.
Don O. Davis, McKinney.
Dallas S. Lankford, Mineola.
Olin N. Buchanan, Point.
Rudolph A. Engelking, Jr., Sealy.
Louisa H. Desmond, Spring.
Roscoe C. Thomas, Stamford.
Emmett R. Moon, Stephenville.
Volney F. Norris, Thorndale.
Erna R. Miles, Zavalla.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 12, 1940

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. RAYBURN.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in Heaven, we praise Thee that in the upper spiritual world the billowing tides of love and mercy are ever flowing from the infinite breast of the Almighty One. We earnestly pray Thee that they may enrich every faculty, unify all worthy purposes, harmonize all true and sincere workers, sweeten the speech of all tongues, and transfigure all hopes. Thy masterpiece, O God, is a human creature of thought, of vision, and of character all compact. We thank Thee for Thy holy word, which embodies the true ideal for all: "Thus saith the Lord, let not the wise man glory in his wisdom, neither the mighty man glory in his might; let not the rich man glory in his riches; let him that glorieth, glory in this, that he understandeth and knoweth Me, for I am the Lord which exerciseth loving kindness, judgment, and righteousness in the earth, for in these things I delight, saith the Lord." In our dear Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate insists upon its amendments to the bill (H. R. 8319) entitled "An act making appropriations for the Departments of State, Commerce, and Justice, and for the Judiciary, for the fiscal year ending June 30, 1941, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McKELLAR, Mr. RUSSELL, Mr. McCARRAN, Mr. BANKHEAD, Mr. PITTMAN, Mr. LODGE, and Mr. BRIDGES to be the conferees on the part of the Senate.

CERTIFICATE OF ELECTION—HON. ROBERT K. GOODWIN

The SPEAKER pro tempore (Mr. RAYBURN) laid before the House the following communication from the Clerk of the House:

MARCH 12, 1940.

The SPEAKER,

House of Representatives, Washington, D. C.

DEAR SIR: The certificate of election, in due form of law, of Hon. ROBERT K. GOODWIN as a Representative-elect to the Seventy-sixth Congress from the Sixth Congressional District of Iowa, to fill the vacancy caused by the death of Hon. Cassius C. Dowell, is on file in this office.

Very truly yours,

SOUTH TRIMBLE,
Clerk of the House of Representatives.
By H. NEWLIN MEGILL.

SWEARING IN OF A MEMBER

The SPEAKER pro tempore. The present occupant of the chair will administer the oath of office to the Member-elect if there is no objection.

There being no objection, Hon. ROBERT K. GOODWIN appeared at the bar of the House and took the oath of office.

THE LATE HONORABLE ARTHUR W. ALESHIRE

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I rise to announce the death of my predecessor, Hon. Arthur W. Aleshire, of Springfield, Ohio, who served the Seventh Ohio District in the Seventy-fifth Congress ably and well.

Many of you who are here knew him and appreciated his fine character and the gentleman he was. He has been ill during the past few months, but it was thought he would recover from that illness. He was seemingly on the way back to

health when death came yesterday evening, March 11, at 8 o'clock.

It has been my pleasure and my privilege to know Mr. Ale-shire well. While we were opponents in a political campaign, we were good friends. He was a gentleman and a patriotic American in every sense of the word, and I know this House joins with me in mourning his passing.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. FAY. Mr. Speaker, I ask unanimous consent to include in the RECORD the Washington's Birthday exercises of the Rainbow Division of veterans.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. FAY. Mr. Speaker, I ask unanimous consent to include in the RECORD an address made by me on preserving American neutrality.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

RULES AND MANUAL OF THE HOUSE, SEVENTY-SEVENTH CONGRESS

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report back favorably (Rept. No. 1749) the resolution, House Resolution 379, and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 379

Resolved, That a revised edition of the Rules and Manual of the House of Representatives for the Seventy-seventh Congress be printed as a House document, and that 1,600 additional copies shall be printed and bound for the use of the House of Representatives, of which 700 copies shall be bound in leather with thumb index and delivered as may be directed by the Parliamentarian of the House for distribution to officers and Members of Congress.

The resolution was agreed to.

NATIONAL ELECTRIC RATE BOOK

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report back favorably (Rept. No. 1750) the resolution, House Resolution 414, and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 414

Resolved, That the National Electric Rate Book as of January 1, 1940, published by the Federal Power Commission, be printed as a House document; and that 350 additional copies thereof be printed for the use of the House document room.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. JARMAN. Gladly.

Mr. RICH. I may say to the Members that this request comes from the gentleman from Mississippi [Mr. RANKIN], who is so diligent in trying to see that the electric rates of the country be published.

After consideration by the members of the committee and taking the matter up with the Federal Power Commission, we decided that if the people of this country wanted the publication of these rates, it might be well to let them have them, to see whether the gentleman from Mississippi can do what he says he is going to do. Nobody wants to prohibit him from doing that, but the fact that these rates in 3 months will all be superseded by new rates, which they are issuing from time to time because of the fact that all utilities are decreasing their power rates because they are able to generate power cheaper, are able to manufacture power at a lesser rate, makes this publication seem unnecessary. These companies are producing cheaper, and therefore they will do like the Potomac Electric Power Co., they will pass those savings on to the public.

Now, what this rate book will do I do not know, but we are willing to take a chance on it. It is going to cost \$3,500. I

think it is worth while spending the money to see whether it will do any good.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. JARMAN. I yield just for a minute.

Mr. RANKIN. Let me say to the gentleman from Pennsylvania [Mr. RICH] that I agree with him thoroughly that when we publish this book some of these rates as published are going to soon be out of date because they will be reduced at once. We are going to put these books in your hands and in the hands of interested people over the country. Then every power company in the United States that is charging exorbitant rates will reduce rates just as soon as this light is turned on. That is what will make these tables obsolete. This will cost very little, but it will probably mean hundreds of millions of dollars in savings to the power consumers of this Nation before the end of the year and every other year from now on. It gives the rates charged in every community in every State. We are publishing these books so that rates can be compared with rates as published by the companies in every community in America. It is a deadly parallel, and will be worth its weight in gold—yes; in diamonds—to the electric consumers of this country.

It will be the first publication of its kind ever issued, showing the rates charged for electricity in every locality throughout the whole country.

As I said, it will be worth its weight in diamonds to the overburdened electric light and power consumers of this Nation.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. JARMAN. I yield briefly to the gentleman from Kentucky, then I cannot yield further.

Mr. MAY. At regular intervals I receive copies of documents printed by the Federal Power Commission setting out every one of these rates by States in groups. I am just wondering why it is necessary to have that information printed again.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADDITIONAL COPIES OF SENATE REPORT 1182

Mr. JARMAN. Mr. Speaker, from the Committee on Printing I report favorably a privileged resolution (Report No. 1751) and ask for its immediate consideration.

The Clerk read as follows:

Senate Concurrent Resolution 38

Resolved by the Senate (the House of Representatives concurring), That there be printed 3,000 additional copies of each part and subsequent parts of Senate Report No. 1182, submitted pursuant to Senate Resolution 71 (74th Cong.), entitled "Investigation of Railroads, Holding Companies, and Affiliated Companies," of which 2,000 copies shall be for the use of the Committee on Interstate Commerce, 500 copies for the use of the Senate document room, and 500 copies for the use of the House document room.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. RANKIN, Mr. BENDER, Mr. PATMAN, Mr. SUTPHIN, Mr. SHEPPARD, and Mr. VAN ZANDT asked and were given permission to revise and extend their own remarks.

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein an excellent editorial from the Tuscaloosa News pertinent to the question of votes for the District of Columbia.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. MILLS of Arkansas. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include therein a short telegram.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. MILLS of Arkansas. Mr. Speaker, in the course of my remarks on the floor February 20, 1940, when the Reciprocal Trade Agreements Act was under discussion, I stated that—

The rate of duty on imports of manganese, except from Cuba, which enter free by previous arrangement, is still over 50 percent ad valorem.

This figure was obtained by me from the State Department. I have since learned upon investigation that this figure is incorrect and my conclusions predicated upon this statement are therefore also incorrect. Manganese does not now enjoy a 50-percent ad valorem duty or even near a 50-percent duty. Therefore, I desire to correct my former statement.

It appears that the State Department was not fully informed regarding the domestic manganese situation; the rate of duty now enjoyed and the injury which domestic manganese producers have suffered under the trade-agreements program.

It is to be conceded that mistakes will be made in the administration of the trade-agreements program. It is also to be understood that the State Department will correct any mistakes which may appear in evidence or iron out any injustices which may develop in the negotiation or operation of the agreements.

Manganese is the No. 1 strategic mineral essential to our national defense. In view of the troubled conditions of the world and our dependency, in a large measure, upon Russia for the major portion of our supply of manganese, it seems essential that we do whatever may be necessary to stimulate further development of our own domestic manganese resources.

On account of national defense and employment, I am firmly convinced that the duty on manganese should be restored as early as possible.

I am therefore asking the State Department to reconsider the facts in the manganese situation.

In order that information regarding manganese in Arkansas may be made available, I submit for the RECORD statements from manganese producers of my State.

BATESVILLE, ARK., February 23, 1940.

Hon. WILBUR D. MILLS, M. C.:

Your speech February 20 regarding 50 percent ad valorem duty on manganese a mistake according to bids received by United States Government this week, present duty less than 20 percent ad valorem. We fear that trade agreements will block the erection of beneficent plant and other investments of approximately \$2,000,000 in Independence County.

BATESVILLE CHAMBER OF COMMERCE.
ROBT. ELLA CASE, Secretary.

CUSHMAN, ARK., February 26, 1940.

Mr. WILBUR D. MILLS,
Congressman from Arkansas,

Washington, D. C.

DEAR SIR: * * * According to bids received by the Government for stock pile of manganese ore as a strategic mineral, the cheapest price from any point within the United States of America was 60 cents per unit, which would be \$30 per dry ton of 50-percent ore. Fifty percent ad valorem would have to be over \$15 duty.

The present duty amounts to only \$5.60 per dry ton on 50-percent manganese ore. This \$5.60 was arrived at in this way. The duty on manganese ore which was one-half cent per pound on 50-percent ore which equaled \$11.20 per ton and which under the trade agreement with Brazil was reduced one-half, leaving the duty on manganese \$5.60 per ton on 50-percent ore.

As ever your friend,

WALTER H. DENISON MANG.
& CONT. CO., INC.
By J. REED DENISON.

Mr. HENNINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the St. Louis Star-Times.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. PITTINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the question of the St. Lawrence seaway project.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a table from the Department of Agriculture and an article from the Times-Herald.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Star-Courier of Kewanee, Ill., of March 6 entitled "Crop Control Beneficiaries."

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

HOMESTEAD LIENS TO BE PROHIBITED

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD and to include therein a copy of the bill H. R. 8857 and a letter from N. W. Sawyer, of the Legislature of the State of Minnesota.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ALEXANDER. Mr. Speaker, yesterday I introduced H. R. 8857, which reads as follows:

A bill to amend the Social Security Act wherein repayment may be required for recipients of old-age assistance and to prevent requiring the same or so-called homestead liens

Be it enacted, etc., That clause (7) of section 2 (a) of title I of the Social Security Act (Public, No. 271, 74th Cong.) is amended to read as follows: "(7) that, if the State or any of its political subdivisions accepts or receives any amount with respect to old-age assistance under this plan, it shall not require repayment thereof from any recipient of old-age assistance nor from the estate of any recipient nor shall it place any homestead lien against the same. The contribution from the Treasury under this plan with respect to old-age assistance is to be accepted by the State or any of its political subdivisions in lieu of requiring any repayment by the recipient thereof. Should any recipient voluntarily reimburse a State or any of its political subdivisions for old-age assistance extended under this plan, a proportionate share of the net amount so received shall be promptly paid to the United States."

If this bill becomes law it will prevent the various States now having so-called homestead lien laws from collecting Federal pension funds paid to aged people by taking over their homesteads.

Recently, in order to ascertain the sentiment in Minnesota, I sent out several thousand questionnaires on this subject. These pamphlets read as follows:

QUESTIONNAIRE

I am sending you this questionnaire to get the opinion of those people that are most concerned with a national pension act. Most Congressmen are opposed to a pension plan of \$200 a month. I have been informed that 200 Congressmen are opposed to the \$200 per month plan. The late Senator Borah once stated that a \$50 to \$60 national pension law, with no State connections would go through easily. As there are a number of plans that are being advanced I would appreciate getting the opinion of the voters on the following questions:

1. Do you favor a national pension law with no State connections?
2. Do you receive a smaller amount than the relief client?
3. Have you been threatened with removal from the eligible list if you protested about the way your case has been handled?
4. Do you have children that are able to support you and refuse to do so?
5. At what age do you think that pension benefits should begin?
6. What amount of money do you think would be an adequate pension?
7. Are you asked to pay the taxes on the homestead out of your pension?
8. Will your children be able to pay off the lien on your homestead?
9. How do you think a pension law should be financed, by a sales tax, a transaction tax, or an income tax?

Large numbers of these questionnaires have been filled out and returned, and the tabulations indicate the following:

1. In answering, nearly all expressed themselves in favor of a national law with no State connections.
2. All stated that they received a smaller amount than the relief clients.
3. All of those that answered No. 3 stated that they were threatened with removal if they protested about the way

their case was handled. Some had been reduced twice for this reason.

4. Only one stated that they had children that could support them and refused to do so.

5. All stated that \$60 a month was an adequate pension.

6. All stated that pensions should begin at 60 years.

7. All stated that they were asked to pay their taxes out of their allowance.

8. All but one stated that their children would not be able to pay off the lien on the homestead.

9. All stated that a national pension law should be financed by an income or sales tax.

Several hundred personal notes and letters have accompanied these replies. A good representative letter from among these is the following from N. W. Sawyer, a member of the State legislature, who writes:

I, N. W. Sawyer, representative from the fifty-second district of Minnesota, feel that it is only sensible to pay the aged an amount that will allow them to retire from competitive labor. The system that we have is a disgrace to any civilization. They are not paid half as much as young people on relief, and then compelled to give a lien on anything they may own, and swear that they, and all their people are paupers. The farmers receive their A. A. A. checks and all other relievers without any liens. Why discriminate against the aged who have borne the burdens for the past 50 years? Under our present system the very States and counties where aid is most needed, local communities are unable to pay. Social security does not affect 1 percent of the people in Cass County hence it is out of the picture, and besides it takes good care of the men and women who have good jobs, meager care of those in the low salary brackets and gives nothing to the ones worst off who have no jobs. It disregards all the housewives of America as well as the widows of the ones who work.

I like the gross income phase of the present Townsend bill much better than the tax plan of the bill presented at the last Congress and for which five of our nine Minnesota Congressmen voted. I like the exemption clause but feel that it might have been reduced considerably. Not that a \$3,000 standard per family income should be considered exorbitant but it is far above the present average family income. I consider that the words of Lincoln—"this Nation cannot long exist half slave and half free"—have more meaning and concern today than they did when he first spoke them.

Pleased to learn that you are interested in taking care of the aged of our land and trust that you may find enough other Congressmen that feel the same way. If you ask me, the treatment that our elders have received during the present depression is the worst stigma of disgrace that one can find on the pages of American history.

Of all the thirty million on relief, from the farmers with their A. A. A. checks, which in many cases amount to thousands of dollars that are not needed by the ones that receive them, to the W. P. A. checks, which are a disgrace to our civilization, to the direct relief which compels the recipients to live in hovels that are not fit for the dens of wild beasts, to say nothing of their scanty bill of fare that can be obtained on \$10 to \$20 per month and in many cases lesser amounts, not one individual except our elders are asked to give a lien and they receive the least amount of all our dependent citizens. I know of one man that receives \$18,000, that owns 4,000 acres of Iowa land free from incumbrance, also owns 90 percent of all the stock in the bank of his local city and is its president as well, has only himself and wife to care for, yet he does not have to take a pauper's oath nor give a lien. Neither do the judges nor the thousands of retired State and Government employees who are quite amply cared for.

At this point I would like to insert some additional figures about the A. A. A.

It is not alone the little fellow who has benefited from soil-conservation payments, as is shown by a report made to Congress by the Agricultural Adjustment Administration for 1937. Over 20,000 farmers and corporations received soil-conservation payments of a thousand dollars or more. Most of these big payments went to insurance companies and banks, which in recent years have acquired large land holdings under foreclosure proceedings. The Metropolitan Life Insurance Co. leads off with checks totaling \$257,095; the Prudential Insurance Co. of America, \$231,158; the Equitable Life Assurance Society of the United States, \$206,962; Travelers Insurance Co. of Connecticut, \$211,521; Union Central Life Insurance Co. of Ohio, \$166,280; Mutual Benefit Insurance Co. of New Jersey, \$161,100; Northwestern Mutual Life Insurance Co. of Wisconsin, \$156,444; John Hancock Mutual Life Insurance Co. of Massachusetts, \$147,647; Federal Land Bank of Omaha, Nebr., \$134,139; the King Ranch of Texas,

\$122,140; and the Federal Land Bank of St. Paul, Minn., \$103,925.

The letter continues:

I am for a decent pension, say from \$60 to \$100, with a compulsory spending clause. The Townsend bill that has been introduced will not provide any more than \$50 or \$60, nor would the bill that was in the last Congress. There would be no reason for more than this amount, providing that it would put into circulation enough money to give jobs to our youth, who are the saddest pressed group of our society at the present time. Three things are needed to produce wealth—land, labor, and capital. We have them all in abundance. Let's put them together.

J. Edgar Hoover's crime report for last year shows that we paid \$15,000,000,000 to prosecute criminals, an increase of 300 percent in 10 years, to say nothing of our un-American activities that are springing up on every hand and that will, if not checked, soon destroy our cherished civilization.

Yours truly,

N. W. SAWYER.

It is very evident, from the facts related above and from the replies to my questionnaire, that the homestead lien law is not only unpopular but that it has no justification in law or in practice, and I hope the Members of the Congress will cooperate in passing the bill I have introduced, H. R. 8857.

AMENDMENT OF THE WAGE-HOUR LAW

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ALLEN of Illinois. Mr. Speaker and Members of the House, during the past few weeks I have received many letters from the State of Illinois regarding amendments to the wage and hour law. Recently I received a letter from the Whiteside Sentinel, a triweekly newspaper of Morrison, Ill., urging me to use every effort to include in exemptions semi-weeklies and triweeklies, which have a circulation of less than 3,000 copies, the major portion of which is distributed within the county of publication. In my opinion this is a fair request, and it is my hope that the House of Representatives will see fit to so exempt semi-weeklies and triweeklies along with weekly publications. In support I wish to include an opinion of the counsel of the American Newspaper Association on the subject, which was sent to me by Mr. Charles Bent, Jr., editor of the Whiteside Sentinel:

WAGE-HOUR OPINION

Counsel of the American Newspaper Publishers Association has issued the following opinion on the application of the Wage and Hour Act (Bulletin No. 4411, A. N. P. A., special standing committee):

"It is the opinion of counsel that a newspaper which does not send any of its copies out of the State for sale is wholly exempt insofar as the application of any of the provisions of the act to any of its employees is concerned.

"It is the further opinion of counsel that the action of Congress in exempting weeklies and semi-weeklies which have a circulation of less than 3,000 copies, the major portion of which is distributed within the county of publication, was discriminatory in effect as between various members of the press, all of which, under the provisions of the first amendment to the Constitution of the United States, must be treated upon identically equal terms.

"Congress has no power to classify the press for purposes of regulation."

WAGE AND HOUR AMENDMENT INTRODUCED

An amendment to the Fair Labor Standards Act which affects the publishers of Illinois newspapers has been introduced at the present session of Congress.

This amendment repeals the present exemption in the act in favor of weekly newspapers of 3,000 circulation or less, and substitutes the following:

" * * * or (8) any employee employed in connection with the publication of any newspaper with a circulation of less than 5,000."

The proposed amendment would exempt the small dailies from the application of the Federal Wage and Hour Act. No action has as yet been taken by Congress on the proposed amendment.

Mr. Speaker, I ask unanimous consent to include in my remarks an article with regard to the wage-hour law.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. KELLER. Mr. Speaker, I ask unanimous consent to extend my own remarks on the subject of money.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech by the president of the Farmers Union of Oklahoma.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

COMMITTEE ON THE POST OFFICE AND POST ROADS

Mr. BURCH. Mr. Speaker, I ask unanimous consent that the Committee on the Post Office and Post Roads may have permission to sit during the session of the House today.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

AUTHORIZATION OF CONSTRUCTION OF NAVAL VESSELS

Mr. COX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 390, and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 390

Resolved, That immediately upon adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of H. R. 8026, a bill to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 6 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

With the following committee amendment:

Page 1, line 8, strike out "six" and insert the word "three."

Mr. COX. Mr. Speaker, of the hour's time at my disposal, I yield 30 minutes to the gentleman from New York [Mr. FISH].

Mr. Speaker, this resolution proposes to make in order the consideration of the bill (H. R. 8026) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes. This bill has been reported by the Committee on Naval Affairs with certain recommendations, and the purposes of the bill, Mr. Speaker, are to revise the defense requirements of the Nation made necessary by the international situation that developed in 1939 and as now exists.

Mr. Speaker, will the gentleman from New York [Mr. FISH] use some of his time?

Mr. FISH. Mr. Speaker, I yield myself 15 minutes.

Mr. Speaker, my only hope is that the House will consider this huge Navy appropriation bill very carefully and ascertain whether it is necessary to spend \$650,000,000 as provided in this bill when we are cutting down on farm relief and other forms of relief throughout the country. We are in the midst of war hysteria, and fear, and dread of war. Propaganda covers the country. The other day a British ship, the *Southgate*, was reported as having been torpedoed off Puerto Rico, and it was finally discovered by our airplanes that it had not even been attacked by a submarine; that no American submarines were within 200 miles of it, and no German submarines probably within a thousand miles. The day before the repeal of the arms embargo the papers announced the sinking of the British steamer *Coolmore*, and it was later ascertained that that ship arrived safely at a British port. If this hysteria and war propaganda continues we shall

soon be hearing reports of submarines flying over our coastal cities.

If you were to believe one-half of the propaganda that is being spread throughout America you would come to the conclusion that the United States is defenseless; that we are in the same category as Poland, Czechoslovakia, Abyssinia, or China, subject to being attacked and destroyed by some foreign foe. At the very outset of my remarks I challenge any Member of the House to state what nation or nations has the faintest thought of attacking the United States of America. I challenge any Member of the House to state what nation or nations could attack the United States of America even if they wanted to. The fact is that we have the greatest Navy today in the history of America, a navy second to none; yet we are appropriating \$650,000,000 more to build up an even greater navy. We are adding three airplane carriers at a cost of \$141,000,000.

Now, generally speaking, I have always favored adequate national defense—and I still do—the protection of our own shores, upholding the Monroe Doctrine, and the protection of our commerce on the high seas, and I think the American people want this policy continued.

Mr. COX. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Georgia.

Mr. COX. Does not the gentleman recognize the necessity for the strengthening of our national defense, and is he not, as a matter of fact, in favor of the adoption of the pending bill?

Mr. FISH. The gentleman has asked me a very fair question. There is no minority report filed with this bill and, there being no minority report, evidently this bill is reported unanimously by the committee. However, I want the committee to prove the necessity for certain items. All of us are in favor of what we call adequate national defense.

Mr. COX. The gentleman knows as much about this whole problem as any other man in the House. He has been a student of this subject. Does he not feel the question already propounded recognizes the existence of the necessity for the strengthening of our national defense?

Mr. FISH. I may say to the gentleman that I am not convinced that we need three additional airplane carriers. I do not say I am opposed to the bill. I want to hear it debated. I am opposed to the particular item in the bill having to do with three additional airplane carriers at the present time.

Mr. COX. Just one further question. The gentleman is not opposing the adoption of this rule?

Mr. FISH. No; not at all.

Mr. COX. He is speaking on the merits of the bill?

Mr. FISH. I would like to hear from the proponents of the bill with reference to the necessity for these three airplane carriers. However, I have to give my views in the beginning when there is no minority report and say that from what I can learn there is no necessity whatever for any of these three additional airplane carriers, involving an expense of \$47,000,000 apiece. We have five airplane carriers and we have authorized the building of two more. One is about to be launched.

I propose to place the facts before you so you can determine for yourselves whether those of you representing the farm States want to cut out parity payments to the extent of \$200,000,000 and vote for three airplane carriers that I do not believe we need.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Pennsylvania.

Mr. RICH. Is there any real demand or emergency or danger to this country of which the gentleman knows by reason of which we should increase the Navy to the extent we have authorized last year and this year?

Mr. FISH. I would say absolutely and emphatically "No," but I am in the minority. The committee thinks otherwise. I say absolutely "No," and I am going to speak on that point.

Mr. RICH. Is our Nation made secure by our building a great Navy and a large Army if our financial structure becomes weak?

Mr. FISH. I believe our Navy today makes this country completely secure from attack by any one nation or combination of nations, and I am willing to go ahead and prove it.

Mr. MAAS. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Minnesota.

Mr. MAAS. I want to keep the record straight. I believe the gentleman unintentionally referred to this bill as an appropriation bill. This is an authorization.

Mr. FISH. It is an authorization bill; yes.

No one can deny these simple facts: Already we have the greatest Navy in the history of America—a Navy equal for the first time to the British Navy, a Navy three and one-half times larger than the German Navy, twice as large as the Italian Navy, and 50 percent larger than the Japanese Navy. Every American admiral who has testified says that if a foreign navy—the Japanese Navy, for instance—wants to attack the United States, it must be three times as large as ours. This applies to the German Navy or any other navy. They have also said that a modern fleet loses 20 percent of its efficiency every thousand miles it gets away from its coast.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Oregon.

Mr. MOTT. I believe the gentleman unintentionally has misquoted the admiral. The admiral did not say that if we wanted to attack Japan we would have to have a navy three times as large as Japan, or that if Japan wanted to attack us it would have to have a navy three times as large as ours. What he said was that if we undertook to attack Japan our Navy would have to be three times as large as it is at present.

Mr. FISH. Our Navy now is 50 percent larger than Japan's Navy. The gentleman says our Navy would have to be three times larger than it is now to attack Japan. Of course, what is sauce for the goose is sauce for the gander. Therefore Japan, to attack us, would have to have a navy three times as large as ours.

Now let me proceed to the question of airplane carriers. We have 2,200 airplanes already built by the Navy. We have authorized 3,000. This bill increases the authorization to 4,500. In the Army we already have 2,600 airplanes built and have authorized and are building up 5,500, out of a maximum authorization of 6,000. If we sank our Navy, the whole Navy, the greatest navy in the world, and all the totalitarian states combined and we had no Navy to protect our shores and they brought all their airplane carriers over here with them, I figure the maximum number of airplanes they could bring over would be 500 to attack America. Between the Army and the Navy we already have 5,000 airplanes. If our 5,000 American airplanes cannot defeat 500 foreign airplanes based on ships, we had better give up, anyhow. But that is not half the story. When we have built what have already been authorized and appropriated for we will have 8,500 airplanes, and even if we had no Navy the totalitarian nations could not bring over more than 500 airplanes against us.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from New York.

Mr. COLE of New York. I simply wish to inquire to what nations the gentleman refers when he speaks of the totalitarian nations.

Mr. FISH. I have included all of them this time. I have included Japan, Italy, Germany, and Russia. Assuming they have 10 or 11 airplane carriers, and estimating 50 airplanes apiece as the capacity of the carriers, that makes 500 planes. For the sake of information I would point out that Italy has no airplane carriers and is not building any airplane carriers. We already have five built and are building two more. One was launched just the other day. Italy has none; Germany has none, and is building two; Russia has one very small one of no consequence, of 9,000 tons, and is building two; and Japan has six and is building two. The total tonnage of Japan, built and building, is far less than ours.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Oregon.

Mr. MOTT. Is there not a very obvious reason for the failure of Germany and Italy and nations of that kind to

build airplane carriers? Their field of operation is very limited, in the North Sea and the Mediterranean Sea; but the navies which operate, like ours, all over the globe, are building airplane carriers at least as fast as we are.

Mr. FISH. I believe Great Britain is building airplane carriers, but I imagine that is for the present war and for present war purposes.

Mr. MOTT. And so is Japan.

By the way, if the gentleman will yield further, I wish to correct the statement I made a moment ago. I see that I misquoted the admiral. He did not say we would have to have a Navy three times as large as our present Navy in order to attack Japan successfully; he said that to attack Japan successfully he would have to ask for three times the increase he was then asking for when he appeared before the committee. I want to get that straight in the RECORD.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself 5 more minutes.

There are two proposals in this bill about which I am concerned, first, the item of building 3 more airplane carriers, which I do not think we need; and, second, increasing the number of airplanes from 3,000 to 4,500. If we increase the number of Navy airplanes we will have, with the Army airplanes, 10,000, if we carry out the present program, without this increase of another 1,500. Just how we can use more than 2,000 airplanes in America I do not understand. Major Elliot, who is supposed to be a great expert, has said that all we need is 1,000 combat airplanes. We have already provided for 8,500 and now we are asking for about 1,500 more. If we are to be attacked, certainly, they have got to bring these airplanes over with them and they can only bring 500, while we will soon have 8,500 ourselves, and I do not know whom they are going to be used against. First, I do not know who is going to attack us, and, second, I know they cannot bring over more than 500 airplanes, and I have not the faintest idea whom our numerous airplanes are going to be used against, unless they are to be used against the Republican Party. [Laughter.] They have got to find somebody to use them against.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman.

Mr. RICH. What are you going to do with these 10 big battleships they are building that will cost anywhere from \$90,000,000 to \$116,000,000 apiece?

Mr. FISH. I do not want to go into that as it is not in the bill, because it is hard enough to stand before the House and oppose a full committee report. Not a single member of the minority, so far as I know, has questioned this item. I am alone in saying that I am absolutely convinced they do not need one additional airplane carrier and have not the slightest need for it. We will have seven and I do not even know whether we need seven to protect our shores. If we are going over to other nations then we will need, not 7 or 3 more, but we will probably need 30 more. If the idea is not national defense but aggression and offense to carry a war to foreign lands—to Japan or Germany or Russia or Italy—we will probably need 30 airplane carriers, but for defensive purposes I think we have sufficient airplane carriers, and if the gentlemen of this House want to economize without interfering with national defense here is one way to do it—not to appropriate this \$47,000,000 apiece for 3 more airplane carriers, which you do not need, but strike the item out of the bill.

Mr. IZAC. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. IZAC. I wonder if the gentleman is taking into consideration the fact that when other nations are at war, those nations build up a tremendous national defense of their own and in self-defense we have to do the same thing. In other words, if we take, for instance, the condition of the American Army at the end of the Civil War, it was a threat to other nations. Therefore, in self-defense we have to continue to build when these other nations which are at war, we know are going ahead of us in their national-defense set-up. Does not the gentleman realize that if we are going to keep faith

with our people we do have to also build up our national defense?

Mr. FISH. I cannot subscribe to any such argument that we have to have a Navy practically equal to all the navies of the world or that we have to have as many airplane carriers as all the other nations combined or even of all the totalitarian nations. Our own admirals tell us that if we are to be attacked by a foreign navy, it must be three times as large as ours and yet we seem to have the idea that we must build up a Navy that equals all other navies and that we must have as many airplane carriers as all the dictator nations combined.

The President stated today in the press that we will have to have increased taxes if we do not stop appropriating more money from the Treasury.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself 5 additional minutes.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Michigan.

Mr. DONDERO. How does the airplane equipment of this country compare with other countries?

Mr. FISH. Our airplanes are probably the best in the world. That is why they come over here and buy them.

Mr. DONDERO. I mean in number.

Mr. FISH. Oh, we will have under present authorizations 8,500 airplanes.

Mr. DONDERO. How does that compare with Great Britain or any of the other powers of the world?

Mr. FISH. We have not as many as England, France, or Germany, but they cannot bring them over here, and I challenge anybody to deny that statement. No airplane has ever been invented that can come over and bomb New York and go back to its base in Germany or in Italy. They have more airplanes than we have, but we have a great output now and they are still buying our airplanes and increasing our production. We can produce them within 6 months, and the best type of airplanes. We do not have to worry about that at all. What we are worrying about now is how many airplanes they can bring over to use against us. I submit that they cannot bring over more than 500 to fight against us, even if we did not have a Navy, and we will have under construction, authorized, and built 8,500. The Navy now wants 1,500 more, and 3 more airplane carriers. I suppose they want the airplane carriers to put the airplanes on and take them around the world, because they have nothing to do with them.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. COLE of New York. I am simply interested in learning the name of any admiral who said that an opposing force would have to be three times as large as ours.

Mr. FISH. I understand that is what was testified to before your committee.

Mr. COLE of New York. I do not think he did.

Mr. FISH. It has just been admitted, as I understand it.

Mr. COLE of New York. May I clear that up?

Mr. FISH. Certainly; go ahead.

Mr. COLE of New York. I want to state just what the admiral did say. At the time the admiral made the statement the committee had before it a proposal to increase the size of our then Navy by 20 percent. The admiral said that for him to have a force large enough to successfully carry on a campaign against Japan he would have to have an increase three times the size of the increase he was then asking for.

Mr. FISH. And at that time, let me say, that he was asking for the greatest navy in the history of the world. That is what he was asking for, and that is exactly what we have today—a navy, for the first time, equal to if not greater than the navy of Great Britain. That is what he was asking for, and that is what he got; and now he wants a three times greater Navy than the Navy we have.

Mr. THORKEKELSON. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. THORKEKELSON. Is it a fact, as the papers state, that we have now turned over our fastest ships to England and France?

Mr. FISH. Our best airplanes, certainly.

Mr. THORKEKELSON. That can go 400 miles an hour?

Mr. FISH. Certainly; the best that we produce.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. SCHAFER of Wisconsin. What is the use of spending so many millions of dollars from our almost bankrupt Federal Treasury to provide airplanes for our own national defense, when we have an administration which gives secret information about them to a potential foreign enemy? The American people might awaken from indifference and demand that action be taken with reference to the hijacking of cargoes on our United States flagships, the robbing of our mails, and hauling down the Stars and Stripes before the Union Jack of Great Britain and the Tricolor of France. Why should we continue to talk about being in favor of national defense, when we furnish potential enemy foreign countries with information with reference to our latest implements of defense?

Mr. FISH. I think the gentleman is correct and has answered his own question. There are reasons why we should have airplane carriers and why we should have more than these three and even a greater navy than we have, which excels any navy in the world today, and that is, if you follow the advice of Admiral Yarnell. He is the head of some kind of an anti-Japanese organization that seems determined on getting us into war with Japan. He wants economic embargoes and economic sanctions, and the stopping of trade with Japan. What does that mean? It means just one thing. It means war. In the first place, if we slap on an embargo and economic sanctions against Japan, it means that we drive Japan right into the arms of Soviet Russia, right into the arms of Nazi Germany and of Fascist Italy.

The very minute that we place sanctions on Japan and economic embargoes and refuse to trade with Japan, Japan will declare war on China and she will blockade every port in China, and she will blockade the Burmese port of entry, and not one ounce of war material that we are sending to China can get there. In addition, we would force Japan into a military and naval alliance with Soviet Russia and with Nazi Germany. If you want to follow Admiral Yarnell, 3 airplane carriers are not enough. We ought to have 30 airplane carriers if we are going out looking for war. My only interest in national defense is for preparedness that will defend our own shores against any attack. I am not looking for war in foreign lands either in Europe or Asia.

The SPEAKER pro tempore. The time of the gentleman from New York has again expired.

Mr. FISH. How much time have I consumed?

The SPEAKER pro tempore. The gentleman has consumed 25 minutes, and has 5 minutes remaining.

Mr. FISH. Very well; I shall take the balance. Mr. Speaker, I am just submitting these facts to the House. I do not like to stand alone and lead this fight, and I do not claim that I know more than the whole committee. I may be out of step, but I want the Members of the Congress to listen to this debate and determine for themselves. I do not think these airplane carriers are necessary for adequate defense, but they may be for offense and aggression.

In conclusion, I want to bring up another matter which affects our trade. American merchants, particularly in New York, bought goods in Germany before November 27, 1939, before the British issued their order-in-council of November 27, which said that anyone buying goods or making a contract for goods in Germany before that date can get those goods out, provided they paid for them. Many of our American merchants have paid for those goods—some \$15,000,000 worth of those goods, and the British refuse to let them out. Those goods were bought from Germany. They are in Italy; yet the British will not give our merchants permission to bring those goods here, in spite of

their own order-in-council of November 27, that permitted German goods that had been paid for in advance to be transported to America.

Our merchants, small merchants in New York, who bought twenty or thirty or forty thousand dollars worth of these goods, cannot get them. They are being bankrupted. This situation has been continuing for the last 3 or 4 months and is getting worse all the time.

In addition to that, I am told—and it may interest some of you cotton people from the South—this complaint does not apply to New York alone; we sell some of the cotton from New York. An exporter sells a bale of American cotton to Finland. He gets permission from the British to send it over there. He sends it for 1 or 2 months, and the third month the British intervene, and they do not give our exporter any permission to sell that cotton. Then they send one of their own salesmen to Finland, and they say, "You cannot get any more cotton from the United States. We will sell you practically the same kind of cotton, or just as good Egyptian cotton, at the same price."

That is what has been going on. They have control of the seas. Not satisfied with using it for war purposes in defense of their own trade, they are monopolizing the trade of the world and they are destroying the cotton markets of the South and replacing them with Egyptian cotton.

I am introducing this resolution, which is too long to read, a resolution of inquiry to the State Department—to ascertain the facts. But I have been getting letters from merchants in New York, protesting that they have complied with the orders-in-council and cannot get the goods that they have already bought and paid for and that they are losing this legitimate trade because the English have all the memoranda and all the data, and they go and sell some other kind of cotton to those foreign nations in place of our southern cotton. We are entitled to have those facts. I do not know to what committee this resolution will be referred, but I hope it will be reported out and that we can get the facts and determine what action to take.

In conclusion, I would like to know why we should increase our air force to 4,500 naval airplanes. How can we use them when dictatorial nations cannot bring more than 500 against us? Furthermore, I would like to know why we must have three additional airplane carriers at \$47,000,000 each, and what we are going to do with them when we have more now than Germany, Italy, and Russia combined; yet we ask for three more.

So in the name of economy, let us consider this question carefully and in view of the needs of adequate national defense. If the able chairman of the Committee on Naval Affairs, one of the ablest Members of this House, can prove to me the need of these three airplane carriers, I will gladly vote for them, because I want national defense, but if he cannot, I hope the House will vote otherwise. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from New York has again expired.

Mr. COX. Mr. Speaker, I have faith that after the gentleman from New York [Mr. Fish] has heard the debate on this bill he will support it.

I move the previous question on the adoption of the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to.

Mr. VINSON of Georgia. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 8026) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 8026, with Mr. LEAVY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. VINSON of Georgia. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, this bill authorizes a 2-year naval building program of 167,000 tons of combatant ships, or approximately a 11-percent increase in the combatant strength of the Navy.

No battleships are involved in this bill.

It authorizes an increase of 79,500 tons of aircraft carriers, 66,500 tons of cruisers, 21,000 tons of submarines, and 75,000 tons of auxiliary vessels.

It is estimated that this increased tonnage of 167,000 combatant tons will provide for 21 additional ships, at an estimated cost of \$372,750,000, to be laid down within 2 years and finished by 1945.

The 75,000 tons of auxiliaries provided for in the bill will be approximately 22 ships at an estimated cost of \$183,000,000. The 1,011 airplanes and 4 blimps, at an estimated cost of \$99,152,270, making a total cost for the 21 combatant ships, the 22 auxiliaries, and the 1,011 airplanes approximately \$654,902,270.

The Navy Department, in presenting the bill to the Naval Affairs Committee, recommended an increase of 25 percent, or an addition of approximately 400,000 tons of combatant ships, which would have cost approximately \$1,596,000,000, and which was to be a 5-year building program. This is a reduction of \$941,097,730.

The committee, after a month's hearing, reduced the same to an 11-percent increase and a 2-year building program, and unanimously reports the bill to the House.

Under the act of 1934 to bring the Navy up to treaty strength by the replacement of over-age ships, there remains the following tonnages:

	Tons
Cruisers.....	66,245
Destroyers.....	50,470
Submarines.....	12,856

Under the act of 1938, we have used up all the tonnage provided for aircraft carriers and submarines, and there remains the following tonnages:

	Tons
Cruisers.....	16,754
Destroyers.....	11,360

This therefore makes a total tonnage that is available under the act of 1934 and the act of 1938 of 157,685 tons in the categories of cruisers, destroyers, and submarines.

It is the program of the Navy Department to lay down that tonnage plus the 167,000 tons provided for in this bill within 2 years, which will make a total building program of 324,685 tons of combatant ships to be laid down within the next 2 years.

The navy yards and industrial yards are in position to handle the program.

An examination of the report on page 5 shows a complete break-down and the requests that will be made on the Budget to carry out this building program as provided for in this bill.

I deem it important at this point to give to you a complete break-down picture of the Navy as it is authorized to be constituted today.

By the act of 1938, the Navy is authorized to have under-age tonnage in the combatant categories as follows:

In battleships, 660,000 tons, which will provide for 18 battleships; in aircraft carriers, 175,000 tons, which will provide for 8 carriers; in cruisers, 412,524 tons, which will provide for about 44 cruisers; in destroyers, 228,000 tons, which will provide for about 139 destroyers; and in submarines, 81,956 tons, which will provide for about 59 submarines.

This makes a total tonnage of 1,557,480 tons, with a grand total of 268 under-age ships. However, the increase of 167,000 tons authorized by this bill would raise the authorized under-age tonnage for the Navy to 1,724,480 tons, making a total of 289 ships.

So the Congress and the country can understand that with this bill enacted into law and with the Navy built up to the authorized strength in under-age tonnage, the Navy will have in combatant types 18 battleships of 660,000 tons; 11 aircraft carriers of 254,500 tons; 48 cruisers of 479,024 tons; 139 destroyers of 228,000 tons; and 73 submarines of 102,956 tons.

On the 1st of this year the Navy had in commission and in service 14 under-age battleships with a total tonnage of 438,200 tons, 5 aircraft carriers with a total tonnage of 120,300 tons, 35 cruisers with a total tonnage of 317,600 tons, 67 destroyers of 104,470 tons, and 32 submarines of 48,500 tons—making a total in commission of under-age ships on January 1, 1940, of 153 ships of 1,029,070 tons.

As I have stated previously, there is no provision for battleships in this bill.

However, including 2 battleships carried in the naval appropriation bill recently passed by this House, the Navy now has 10 battleships building or appropriated for, and with the replacements authorized by the act of 1934, the Navy will continue to have a healthy battleship-building program until about 1949.

As I have stated previously, the over-all increase in combatant tonnage provided by this bill will be approximately 11 percent.

However, let me impress this one fact upon you that this limited expansion will not maintain parity with Great Britain. It is estimated it will fall short of the 5-3 ratio with Japan. It cannot be said, therefore, that this expansion, when built, will be adequate to meet all possible needs, in the Atlantic and the Pacific, should they arise simultaneously in both oceans.

This proposed increase is in fact the minimum that should be considered.

As stated before, the proposed expansion provides for increased authorization for only three of the combatant types, and they are aircraft carriers, cruisers, and submarines.

In the matter of carriers, the 1941 naval appropriation bill provides for the construction of one more carrier. This one carrier will utilize all of the carrier tonnage now authorized by the 1938 act.

It will bring our number of carriers to a total of eight with a tonnage of 175,000. No more carriers can be built without additional authorization, such as contemplated in this bill.

Great Britain has built and is actually building a total of 13 carriers with a tonnage of 258,000. Japan has built and is building a total of 8 carriers, that we know about, and there are probably others that we do not know about.

With a large expanse of ocean to cover in the Pacific and in the Atlantic, additional carriers are urgently needed now. The number contemplated by the bill—three—is to be regarded as a minimum.

The bill provides for an increased authorization of cruiser tonnage of 66,500. The present war has demonstrated—in fact, emphasized—the need for numbers of cruisers, particularly on the part of nations who have to protect large expanses of ocean.

Further, the required expansion in the number of carriers necessitates in itself an increased number of cruisers, as each carrier requires cruiser escort.

The number of cruisers that can and will be built as a result of this increased authorization has not been specifically indicated by the Navy Department.

Shortly after the commencement of the present war all existing naval limitation treaties were abrogated by all of the powers concerned. Until this was done cruiser size was limited for Great Britain and the United States but not for Japan, which was not a party to the treaty.

The committee feels that the proposed increase in authorized cruiser tonnage is highly essential to the Navy Department's plans for future cruiser construction.

Under the tonnage authorized by the act of 1938, there remains 61,830 tons of destroyers that can be laid down now. Because of this unexpended authorization in destroyer tonnage which is all that the Navy can conveniently construct within the next 3 years, and because of the continued availability for some years of the old destroyers which have been

maintained in serviceable condition, this bill does not provide for any additional destroyer tonnage.

In the matter of submarines, the United States dropped behind the navies of the world in the construction of new submarines during the early life of the naval limitation treaties. Recently we have been catching up.

The replacement tonnage available under the 1934 act will soon be used up, and the committee feels it necessary that the tonnage for this type of craft should be increased by the 21,000 tons specified in the bill in order to increase the strength of our submarine force by an additional 14 submarines.

The important part to be played by an adequate submarine navy as a deterrent to hostile action against us on the part of other naval powers is obvious.

The proposed increase of 14 submarines is, of course, a very modest number. It is restricted, however, to the number that can be laid down during the next 2 years.

The increased number of aircraft, 1,011, is to provide for the increased number of ships, particularly carriers, and to provide training planes and to provide sufficient seagoing patrol planes to meet needs simultaneously in both oceans. The compelling necessity to continue our present policy of readiness to handle sea jobs with naval aircraft has been demonstrated by the sea operations of European powers during the last 6 months.

For many years the construction of auxiliaries for the Navy was largely neglected. Such funds as could be made available were mostly devoted to the construction of combatant ships and aircraft. Finally the Navy reached a point where the combatant ships in commission were so distinctly handicapped by lack of specially fitted, continuously available auxiliaries that a substantial auxiliary construction program became necessary. Such a program to meet a great many of the more pressing needs was included in the 1938 act.

The auxiliary ship program in this bill is to provide necessary support for the combatant ships and aircraft of the expanded program.

Mr. Chairman, mark my words, had the world conditions remained as they were when the 1938 Expansion Act was passed, it would have been unnecessary for us to come before the Congress with this building program. The existing authorization would have been sufficient.

The international situation has altered substantially. World conditions today forecast a greater menace to our peace than was the case a year ago. The events which have taken place since then are so fresh in the minds of everyone that it is unnecessary to restate them. The situation is rife with possibilities of a general European war and, in conjunction with far eastern conditions, presents a threat of world conflagration.

We must evaluate conditions as they exist in the world today. International alignments are lightning swift. Nations are searching for allies. The exercise of power politics is the rule rather than the exception. The best way to ascertain national policies is to observe national acts. Our first duty is to protect the United States. Our objective is a navy adequate for this purpose. We cannot afford to take chances with a world in arms. Our only course is to depend on no one but ourselves. Our voice in world affairs will be heeded in almost direct proportion to our relative strength on the sea.

In the world of today it seems only a fair and moderate statement to say that the best interests of our Nation will be best served by keeping our own forces sufficiently strong to be an effective deterrent against foreign aggression.

The United States of America is the only major power in the world which has not been at war with some other nation since 1918, and, except for Italy, is the only major power not so engaged today. Since 1932, as everyone knows, the world has become increasingly unstable; Japan has invaded China and possessed herself of a good portion of that country; Italy has taken Ethiopia and Albania; Germany has now the territory formerly occupied by Austria, Czechoslovakia, and part of Poland; Russia has seized the rest of Poland, has to all intents and purposes taken over Lithuania,

Latvia, and Estonia, and is now busily engaged in attacking Finland. Spain is entering a period of reconstruction after being reduced to ruins and drenched with blood by a war promoted by outside interests. The map of Europe changes with lightning rapidity.

Whether we like it or not we are living in an age of conquest. The weaker nation has something desired by the stronger, thus constituting a natural set-up for invasion and today the clouds are beginning to gather over Rumania with her rich oil deposits and soon that little nation may become a prey of stronger nations if she fails to meet their demands.

Unfortunately today the language of Europe is force. Therefore, it is the duty of the United States to be ready to speak the same kind of language if we are ever so unfortunate as to be called upon to do so. In other words we must be ready to meet force with force.

The first question to be decided is to what extent the recent changes in world condition constitute a menace to the safety of this country; the second question is what changes in the Navy are necessary to meet it. The answer to the first question is of necessity indefinite, except that we must take into consideration the worst possible turn of events from our viewpoint, analyze as well as we can the chances of its actually happening, and decide upon the degree of preparedness we need.

The second question is answered by the bill now before the House unanimously reported by the committee.

No doubt the question will be asked during this debate, "Whom are we going to fight?" I answer it by saying that we are not increasing the Navy against any particular nation or group of nations, but we are increasing the Navy to afford this country better protection against aggressive action by any other power.

We are endeavoring to defend the United States against an attack from any direction.

This program is an additional insurance policy for peace for the American people. While it will ultimately cost \$654,000,000, what is that sum to insure peace to the men, women, and children of this Nation?

Even with this expenditure, it is cheap insurance, for surely the peace and security of this country is worth more than \$654,000,000, and nothing will contribute more to guarantee to the people security and peace than a more adequate defense, as provided for in this bill.

This country must be made impregnable against attack from any direction.

While we are today in a world of war; while there is war in the Atlantic and war in the Pacific, yet, nevertheless, the Naval Affairs Committee has not been stampeded. We have sought to view the needs of the Navy soberly, conscientiously, sanely, and in a common-sense manner.

In conclusion, let me say that while we do not covet one foot of soil of any nation nor do we intend to get entangled in any alien quarrels, yet, nevertheless, it is the duty of Congress to see that our defenses are adequate to meet any aggression. [Applause.]

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes; and, Mr. Chairman, I shall be pleased to yield at any time.

Mr. ALEXANDER. I notice that the bill in section 7 provides that after the specified age limit has been reached the vessel shall be deemed over age. My question is, Does not this leave almost no limitation on the building of these various categories? In other words, how far are we from reaching the age limit as to battleships, as to aircraft carriers, and cruisers?

Mr. VINSON of Georgia. Some of them are becoming over age all the time, and vessels are being laid down to replace them.

Mr. ALEXANDER. The point I am making is this: The bill in various sections provides for a certain number of battleships and auxiliary vessels.

Mr. VINSON of Georgia. That is right.

Mr. ALEXANDER. As I read section 7, that limitation will be done away with.

Mr. VINSON of Georgia. Not at all.

Mr. ALEXANDER. As fast as these vessels reach the age limit they are replaced.

Mr. VINSON of Georgia. The tonnage provision in each category is the maximum permitted in under-age ships, and section 7 merely gives the age limits of ships. On a battleship the age limit is fixed at 26 years from the date it goes into commission; and the total under-age tonnage of battleships or any other category cannot exceed the amount that is stated in another paragraph of the bill.

Mr. ALEXANDER. Suppose a 45,000-ton battleship became over age next year, could they not build another one then?

Mr. VINSON of Georgia. That would be a replacement and could be built, provided Congress authorized it and made the appropriation for it.

Mr. ALEXANDER. Is not provision for it contained in section 7 of this bill?

Mr. VINSON of Georgia. Not at all. There is no replacement whatever in this bill. When the ships provided for in this bill become overage they go out of the picture unless Congress authorizes replacements built.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. BENDER. How many more airplanes are provided in this bill?

Mr. VINSON of Georgia. This bill provides for adding 1,011 planes to what we have today.

Mr. BENDER. Am I correct in my understanding that 5,800 additional planes were authorized last year?

Mr. VINSON of Georgia. The gentleman is clearly in error if he has reference to the total number of planes in the Navy. The Navy today has only 2,050 airplanes. We are permitted at least 3,000. In 1941 we will have 3,200.

Mr. BENDER. Is it not a fact that we authorized the construction of 5,800 additional planes over a period of years?

Mr. VINSON of Georgia. The gentleman means for the Army also?

Mr. BENDER. Yes.

Mr. VINSON of Georgia. I do not know about that. All I can keep up with is the Navy. The gentleman is probably correct, but in the Navy today we have only 2,050 planes.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. With pleasure.

Mr. DITTER. It occurred to me that the gentleman might like to know, as he makes his very learned presentation of this Navy program this afternoon, that he is privileged to have present in the gallery a fine group of Republican women interested in national defense. I know they will challenge the gentleman to present this program in an even stronger way than he otherwise might. [Applause.]

Mr. VINSON of Georgia. If the minority will follow the results of the Gallup poll, not even the gentleman from New York [Mr. FISH] will be found in opposition to this bill, and I am satisfied that the rank and file of the Members of the minority, as well as the rank and file of Republicans throughout the country, are behind adequate national defense as set forth in this bill.

Mr. DITTER. Mr. Chairman, will the gentleman yield further?

Mr. VINSON of Georgia. I yield.

Mr. DITTER. I know the gentleman feels that I have at all times supported his Navy program.

Mr. VINSON of Georgia. Absolutely; and I trust that the gentleman will be here today to help convince the gentleman from New York of the error of his ways.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. MICHENER. It is very difficult for me at times to follow through. The gentleman on one occasion will tell us that we must depend entirely on the recommendation of the Navy as to what their needs are; he presents legislation and the Congress adopts it because the experts tell us that for our

national defense it is necessary. Now, the gentleman takes pride in the fact that he cuts the heart out of the recommendation of these same experts. Can the gentleman justify these divergent views?

Mr. VINSON of Georgia. Easily. The Navy recommended a 5-year program of some 400,000 tons of ships.

The Committee on Naval Affairs reached the conclusion that it did not want a long-term program, because world conditions may change and we did not feel justified, in view of the fact that Congress is in session every year, in providing for more than a 2-year building program. That is the sane, common-sense viewpoint to take. Bear in mind the first 2-year program covers the identical ships that would be laid down if there was a 5-year program of 400,000 tons.

Mr. MICHENER. Will the gentleman yield further?

Mr. VINSON of Georgia. I yield.

Mr. MICHENER. I want to thank the gentleman for his explanation, because it sensibly explains the situation.

Mr. VINSON of Georgia. It will be found that this committee has done a sensible thing in presenting this bill. It is presented with a unanimous report. Every member of the minority was present there to vote for it and every member of the majority who was present voted for it.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. It seems to me the gentleman's figures are hardly truly comparable. He says that the Navy recommended a 5-year program involving something over a billion dollars.

Mr. VINSON of Georgia. One billion five hundred and ninety-six million dollars.

Mr. JENKINS of Ohio. The gentleman says he fits that into a 2-year program involving five or six hundred million dollars only.

Mr. VINSON of Georgia. That is right.

Mr. JENKINS of Ohio. It would not be fair to say that we have saved the difference, because in the next 3 years we may be called upon to spend more money and perhaps those 3 years will equal the 5 years that the Navy authorities set forth in the beginning.

Mr. VINSON of Georgia. The gentleman may be correct. We will have to cross the bridge when we come to it. We are up to the bridge today and we can see 2 years in advance, but we cannot see 5 years in advance. If world conditions do not continue to grow worse it may not be necessary to ask for a building program beyond the 2 years.

Mr. JENKINS of Ohio. I agree with the gentleman, and I think I agree with the 2-year program. Many of the Members are like I am. They come here, listen to the gentleman's figures, and accept them. But it would not be safe for a person to go out and say that he voted for a bill to save \$900,000,000, because we do not actually save \$900,000,000. We do not appropriate that much, but when the 5 years have elapsed maybe we will have a program involving more than that.

Mr. VINSON of Georgia. The gentleman is not voting for an appropriation at all when he votes for this bill.

Mr. JENKINS of Ohio. It is an authorization.

Mr. VINSON of Georgia. This is purely an authorization, which later will come up for an appropriation. I want to impress upon the Members that this is not a paper proposition. This is not merely an authorization written down on paper, because we propose to do everything possible to lay down these ships. The security and the defense of our country requires it.

Mr. JENKINS of Ohio. One other question. What are the facts in reference to this matter? Suppose we had entered on the 5-year program that the Navy recommended, and the gentleman does not agree to that. Now, in the 2 years we are going to operate under this authorization, will we not lay down the ships on a basis that the expenditure is about the same as it would have been had we entered upon a 5-year program?

Mr. VINSON of Georgia. I stated this is 2 years of the 5-year building program. We are laying down the 21 ships that would have been laid down if we had adopted a 5-year

program, but we are not committing the Congress to a 5-year program. Next year world conditions may change so that we will have to come back here with a different program, which may be larger or smaller. We cannot tell what the future holds forth. We can only proceed year by year.

Mr. TERRY. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Arkansas.

Mr. TERRY. The gentleman stated we are, by this bill, authorizing the first 2 years of the Navy's 5-year program.

Mr. VINSON of Georgia. No. I stated we would, by passing this bill, authorize exactly the same thing that would have been in a 5-year building program.

Mr. TERRY. Then if the gentleman's committee felt justified in authorizing as a full program all of the ships and tonnage that the Navy Department is asking, we might in a 2-year program have a different number of ships and different types in the smaller program than in the first 2 years of a larger program.

Mr. VINSON of Georgia. Not at all. We are laying down the same ships that we would lay down in 2 years if we had authorized a 5-year building program. We took the common-sense viewpoint of it. There is no need of committing the country and Congress to a 5-year building program when no one can tell what 5 years from now will present.

Mr. LUDLOW. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Indiana.

Mr. LUDLOW. If peace should unexpectedly come over the world, would it be necessary, in the gentleman's judgment, to carry out the full authorization as provided in this bill?

Mr. VINSON of Georgia. That, of course, would depend on what the conditions of peace may be. I am just as anxious as any Member of Congress to reduce this great naval-armament budget as early as possible and when world conditions and affairs justify. This committee has not been stampeded into this recommendation. The committee has considered the matter carefully, in a sober and conscientious manner and from the common-sense viewpoint. If world conditions should justify our changing the program, we will be back here with recommendations as world conditions may present themselves from time to time.

Mr. TERRY. Will the gentleman yield further?

Mr. VINSON of Georgia. I yield to the gentleman from Arkansas.

Mr. TERRY. We have heard about a one-ocean Navy and a two-ocean Navy. Does the gentleman feel that what we are authorizing in this bill will be a two-ocean Navy or a one-ocean Navy?

Mr. VINSON of Georgia. This program is not large enough to adequately defend this country if an emergency arose simultaneously in the Atlantic and in the Pacific.

We are not seeking here to come in with a proposition to build a two-ocean Navy, which is beyond the cost we can afford at this time, but with these 21 ships it will contribute to the defense of the country more than the ships in the Navy today.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. The bill under consideration provides, as I understand, for an authorization of \$654,902,270 for the 2-year period dating from July 1, 1940.

Mr. VINSON of Georgia. That is right. If the gentleman will look on page 5, he will see the break-down.

Mr. ROBSION of Kentucky. Are there authorizations for construction for these same 2 years other than this?

Mr. VINSON of Georgia. Yes.

Mr. ROBSION of Kentucky. What do they amount to?

Mr. VINSON of Georgia. In addition to the building program authorized here, under the act of 1934, there remains in cruiser tonnage, 66,254 tons; in destroyer tonnage, 50,470 tons; and in submarine tonnage, 12,850 tons. This is left under what is known as the treaty Navy of 1934. It is the

total that is remaining that has not yet been appropriated for by the Committee on Appropriations.

Under the act of 1938, there remains 16,754 tons of cruisers and 11,336 tons of destroyers. This is the very reason we left out destroyers. We have some 60,000 tons of destroyers that can be laid down now, so there was no need of authorizing any more destroyers. The total tonnage referred to is 157,000 tons. This 157,000 tons, plus the 167,000 tons, is the Navy's program to lay down within 2 years, and the navy yards and the industrial yards are adequate to take care of them.

Mr. ROBSION of Kentucky. What will that cost?

Mr. VINSON of Georgia. The 157,000 tons?

Mr. ROBSION of Kentucky. The additional tonnage other than provided in this bill.

Mr. VINSON of Georgia. It will cost about \$523,200,000.

Mr. ROBSION of Kentucky. If this bill is passed, all the authorizations will then represent a construction outlay of around a billion dollars for the 2 years?

Mr. VINSON of Georgia. Not at all. The 157,680 tons which I have just mentioned has already been authorized under the act of 1934 and the act of 1938. In addition, we are asking for 167,000 tons, making a total tonnage the Navy will have of 324,680 tons to build in the next 2 years.

Mr. ROBSION of Kentucky. What will be the cost of the authorized construction, under the act of 1934, the act of 1938, and this bill, for the 2 years beginning July 1, 1940?

Mr. VINSON of Georgia. I just stated it will be about \$523,200,000, if it is built, but it may not be built, for the reason that to build the 61,000 tons of destroyers will probably give the Navy more destroyers than it needs. This is the very reason we have left that item out of the bill, because we do not know whether we want to continue to build destroyers. Therefore we do not deal with that subject in this bill.

Mr. ROBSION of Kentucky. I wish to commend the gentleman and his committee for limiting this program to 2 years, because if the nations abroad keep on bombing and sinking and destroying ships by torpedoes and mines they may not have as large navies in a year or two as they have now.

Mr. VINSON of Georgia. That may be true; but on the other hand, if certain conditions happen in this world it may be necessary that our Navy be built far larger than proposed here today. We all hope such conditions will not occur, and for that reason we have limited this bill to a 2-year building program.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Michigan.

Mr. DINGELL. The gentleman understands my interest in lighter-than-air craft. I have discussed the question of making some provision for lighter-than-air craft. I notice in section 3 of the bill a very brief reference to lighter-than-air craft. It appears that the question of lighter-than-air craft is open at both ends. Am I to understand that this provision permits the construction of a metal-clad ship or ships?

Mr. VINSON of Georgia. If it is classified as lighter-than-air it applies to metal-clad or fabric-clad ships, either one.

Mr. DINGELL. Can the chairman give me any assurance as to what the Navy might do with a provision of this kind?

Mr. VINSON of Georgia. I am sorry; I cannot do so. That is a technical matter for the naval experts.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. TERRY. Will the gentleman tell us just what he means by under-age ships?

Mr. VINSON of Georgia. In section 7 we fix the age of ships in the different categories. For battleships the age is 26 years from date of commission. Ships 28 years of age are over age and under the law we have the right to replace those ships when Congress appropriates the money.

Mr. TERRY. You still have, in addition to these 18 battleships under age, how many older battleships?

Mr. VINSON of Georgia. We have 14 battleships that are under age and we have 1 battleship over age, making a total of 15 battleships.

Mr. MASSINGALE. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. MASSINGALE. What is the date of the launching of the last ship of the battleship class that our Navy has turned out?

Mr. VINSON of Georgia. I do not remember about the launching of it, but we are building today 10 battleships.

Mr. MASSINGALE. I am talking about those in the service now.

Mr. VINSON of Georgia. We have the age limit of each battleship, but, unfortunately, I do not have that before me right now.

Mr. MASSINGALE. I understand it has been 12 or 15 years since we have launched a real capital fighting ship.

Mr. VINSON of Georgia. The gentleman is correct.

Mr. SUTPHIN. If the gentleman from Georgia will permit, it has been 17 years or in 1923, the *West Virginia*.

Mr. MASSINGALE. As I understand the gentleman from Georgia, this program, when completed, will give the Government of the United States a navy probably second to no other navy in the world, unless the others take a building spurt and go ahead of us.

Mr. VINSON of Georgia. The gentleman is mistaken. This building program authorized now will not provide the ratio of 5-5 with Great Britain, neither does it provide the ratio of 5-3 with Japan.

Mr. MASSINGALE. In answer to that, I want to say to the gentleman that I am, perhaps, a greater enthusiast for a navy than is he, and it is my idea we ought to have a navy that is equal to or better than any other navy in the world.

Mr. VINSON of Georgia. But what is the use of authorizing it when we cannot build it? We are authorizing everything that we can build and that is the common-sense way to look at it. What is the use of having a paper navy and getting up here and saying that we have a navy better than that of England or of Japan, when, as a matter of fact, we will only have it on paper? What I am doing here is to lay down the keels of these ships and build them within 2 years if the Congress endorses this program.

Mr. MASSINGALE. I think that is admirable and I want to see if the gentleman agrees with me in this thought. I do not have any technical knowledge about ships or ship building or really about the requirements of the Navy of the United States, but I have the idea in my mind that one of the best assurances that the Government of the United States could have against the probability of having to send an expeditionary force of men to some foreign country to fight is to have a navy that the balance of the world dreads and would not dare push us to the point where we would have to become involved on foreign battlefields.

Mr. VINSON of Georgia. The gentleman from Oklahoma is absolutely correct, and this is the greatest insurance for peace that the American people can have. It may not keep us out of war, it may not keep us from being attacked, but nevertheless it will be always a deterrent to aggressive nations, because they will know that this Nation is well prepared, and no man makes an attack upon an individual who is well prepared, and no nation makes an attack upon a nation that is well prepared.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I yield myself 5 additional minutes.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. WHITE of Idaho. Has the gentleman given any thought to the proposition that the great forces of the world at war now will be so exhausted at the conclusion of hostilities that they will be in no position to attack us after this war is settled and that the warships we are building now will be obsolete in 20 years and therefore the great expenditures we are making now are useless expenditures in adding to the Navy to any great degree. Has the gentleman given any thought to that proposition?

Mr. VINSON of Georgia. No; because that is so farfetched I never let my mind run along those lines. [Laughter.] I only try to give my thought to something that is founded upon facts that history teaches, and history shows that nearly every nation that emerges from war oftentimes is stronger after the war is over than when the war commences. Take our own Government. The United States Government was comparatively stronger, from a military standpoint, at the surrender at Appomattox than it has been at any time in the history of the world. The British Government was stronger from a military standpoint at the end of the World War than when it started, and the French Government also was stronger from a military standpoint. There is nothing to the argument that nations will impoverish themselves because they are engaged in war over a period of years if they emerge victorious. [Applause.]

Mr. WHITE of Idaho. Does the gentleman not know that a battleship is obsolete in 22 years, according to the rules of the Navy?

Mr. VINSON of Georgia. Oh, no; it is not obsolete. It still has fighting ability, but it has not as much fighting ability as the more modern up-to-date ship. It is not obsolete any more than a Ford automobile of 1935 is obsolete and antiquated because you happen to have a 1940 model.

Mr. MAAS. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, it is not my purpose to discuss the bill pending before the committee. I have a somewhat different function to perform upon this occasion. Yesterday afternoon the Republican Members of the House of Representatives met in conference and united in a declaration or statement having to do with the problem of our national defense. I am instructed by the members of the Republican conference to present that statement to the House.

The statement is as follows:

In the first session of the Seventy-sixth Congress the Republican minority united in adopting and putting forward a statement defining and clarifying the policy of national defense which they believed should appeal to the Congress and to the people. That statement of policy was presented to the House of Representatives. Subsequent action of the Congress was such as to justify the belief that this statement of policy and of the mission of our military forces in defense of it, met with general approval. Nothing has occurred since then to alter this belief. Further study prompts the minority to submit to the House some considerations which it deems to be of the utmost importance at this time.

Our concern is heightened and intensified by what we see going on all over the world today. Recent events strengthen our determination that we shall remain at peace, and secure in that peace. As we plan for security we mean security not only in the physical or material sense, but, taking the long view, the security of our free institutions.

Our thoughts now turn to the present condition of our military services. In order that they shall be able to perform the mission assigned to them, it is obvious that we need them in adequate strength. It is when we come to give consideration to the strength of the services—not only strength in numbers but especially strength in material and equipment of all kinds—that we find ourselves confronting a difficult and complicated circumstance. It is conceded, we believe, that both the Army and the Navy should be stronger if our military defense is to be adequate. We believe, further, that there would be little hesitation on the part of the Congress in adding very substantially to the present-day strength, especially in equipment, were it not for that circumstance which confronts us and which we must not ignore.

To reach a better understanding of it we must reexamine the broad outline of our participation in the World War. Upon doing so we are reminded that when we entered that war, in April of 1917, the national debt stood at \$1,100,000,000. In the 18 months of our participation we spent something in excess of \$35,000,000,000. To meet that expenditure we raised about ten billions through taxes. We borrowed the remainder, and came out of the World War with a national debt of twenty-six billions. That wartime financing was accomplished with comparative ease, for when we began it the Government owed very little.

Compare that to our present situation. For 8 or 9 years the Federal Treasury has been running in the red. Through all of these years we have been spending much more than we have collected from taxes. The more we have spent the more we have borrowed. As a result, we have piled up a huge national debt. Present law provides that the national debt shall not exceed \$45,000,000,000. It is now conceded that by the end of this fiscal year, June 30, 1940, the direct bonded debt will have approached \$44,000,000,000. If our spending in the near future goes on at anything like the recent rate the \$45,000,000,000 limit will be

reached, the Congress will have to raise the limit, and we shall continue plunging along the reckless road.

Let us remember, therefore, that should we be drawn into a war of first magnitude we should have to start with a debt of at least \$44,000,000,000, probably more, and then finance the effort on top of that debt. It is a prospect which must concern every thoughtful person in the land.

The President himself gave evidence of his concern when in his message to the Congress, he suggested the imposition of a special tax calculated to produce revenue sufficient to meet the additional burden of the national defense, and at the same time avoid the necessity of increasing the debt limit. While we share the President's apparent concern, we are convinced that the imposition of an additional special national-defense tax would be inadequate as a remedy and essentially unsound. It would not reach the heart of the problem.

No one at this time can foresee accurately the measures we might have to employ were we drawn into war, but all of us can visualize the danger to our institutions were we forced to resort to inflation, to confiscation, and ultimate repudiation. Could our free institutions survive such a strain? Similar institutions have perished in other lands within our time. Driven to such expedients it might well be that we shall have failed actually in our defense.

Such a possibility should convince us that the most serious weakness in the armor of our national defense today is the existence of a national debt of \$44,000,000,000. There it stands, towering, ominous. Much as we should like to, we cannot consider our problem solely in terms of soldiers and sailors, of divisions and battleships.

To deny that a healthy economic condition is vital to our national defense would be absurd. Our ability to mobilize and maintain the resources of the country in a major effort depends fundamentally upon the strength of our national economy. True, we need soldiers and sailors, divisions and battleships, with adequate modern equipment, but to secure their effectiveness in a long, grueling struggle, and at the same time to preserve our institutions, we must mend our ways.

It will not be an easy task. We have acquired a habit difficult to cast off. Many of our people, thoughtless of the consequences, laugh at debt and demand that spending shall go on. But it must be curbed, for we cannot go on this way and be secure in this troubled world.

The maintenance of our defense is linked with the maintenance of all other necessary activities of our Government. At the present juncture we cannot separate one from the other. The cost of the whole of them combined must be our concern as we strive to put our house in order.

To put it simply, our plea is that the Congress, and others in high authority, reestablish thrift as a virtue in the conduct of government, as it is a virtue in the conduct of the individual.

[Applause.]

Mr. MAAS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I know that every Member here must have been impressed with the words of the gentleman from New York [Mr. WADSWORTH] in pointing out the seriousness of the situation as it exists relative to that vital part of our national defense, the financial structure of the Nation. As a matter of fact, it is this very thing that has made it more important than ever that our Navy and our naval air force be ready in its maximum degree of preparedness at all times, and brought to that state just as quickly as possible. To start with a national debt of approximately \$44,000,000,000, and then to finance a long, drawn-out war on top of that would completely collapse our industrial, our social, and our political structure. Certainly we must be so prepared now that we shall not be forced into any war which is not for an actual defense against invasion of this Nation or its essentially vital rights. To do so means national suicide. To be drawn into a war, improperly prepared for that war, inadequately prepared to bring it to as quick a conclusion, successfully, as possible, means the same thing—national suicide. This Nation cannot stand the strain of a long, drawn-out war, and by that I mean a war of anything over the duration of a year. It would mean that to add \$50,000,000,000—the probable cost of such a war—to the \$44,000,000,000 public debt of today would require a fundamental change in the whole structure of this Government. It would require a totalitarian form of government to be able to finance such a war on top of the public debt, because it would require confiscation and nationalization of everything in the United States. The private resources are just not available to finance a major war on top of our present bonded public debt. The money is not there to be borrowed. It is not a question of the people's willingness to finance such an effort. There just are not private finances enough to do it, whether the people are willing or not.

So if we are to avoid that black picture of the complete loss of our democracy, our free institutions, our liberty, and

our way of life, we must have a Navy which is capable, at all times, of fending off any possible enemy. Far more important than that, we must realize that it is not mere defense that avoids aggression. This country could be rimmed with high-powered coast-defense guns—one every 10 feet—and we would not defend this country at all without an adequate Navy, because we must realize fundamentally that the enemy must be kept far off of our shores; that the enemy must realize that if he attempts aggression against us, not only can we defend ourselves against invasion, but such potential aggressor must realize—and mark this—this is the only thing that keeps an aggressor away from your shores, if he is bound to try to take what you have—the only thing that will keep him away is the certain knowledge that you can inflict more damage on his homeland in retaliation than he can inflict upon you.

That is not aggression on our part, but if we are to avoid aggression the world must know that we can retaliate in a greater measure of damage to any nation on earth than that nation can inflict upon us. Then, and then only, will they stay home and let us alone. No nation on earth need fear aggression on the part of the United States, or invasion by us until we build a huge expeditionary army of millions of men with an enormous transport service. We have no such thing. We could not invade any nation without them, but we could inflict terrific damage if an invasion were attempted against us, if we have a proper navy.

To depend merely on so-called defensive weapons is futile. It is not necessary for an enemy to immediately invade our shores to conquer us. Powerful coast defenses will not alone save us. Without a navy to keep hostile forces far from our coasts, our ports can be blockaded, our absolutely essential imports of strategic raw materials can be blocked, and we can be besieged into surrender, without a shot ever being fired.

An aggressor has nothing to lose by besieging us, unless we can retaliate and besiege him in his own homeland. Bigness is no protection. It is strength that counts. No fighter ever won his fight by merely warding off blows. No; he must be able to do that, and in addition be able to return more powerful blows than he receives.

The question of the necessity of these airplane carriers has been raised. Since we are a two-ocean Nation with only one fleet we must compensate for that in some other way. We cannot divide our fleet, because if we did there would be too great a danger of both halves being destroyed willy-nilly. The safety of the Nation depends upon keeping the fleet inviolate, keeping it as a maximum striking force. So we have to have a makeshift, and the best makeshift we can have is a superior air force. We might not be able to transfer the fleet readily back and forth from one ocean to the other because of the distance and possibility of obstructions in the Panama Canal. We must, however, maintain an adequate naval air force in both oceans, and there is no duplication of the mission of naval aviation as represented by these carriers and the Army airplanes which we are providing, for one is dependent upon the other, but cannot supplant each other. The airplane carriers for which we are asking in this bill are a military necessity as a proper complement to the fleet we are building. To refuse to authorize these three airplane carriers would be exactly the same as authorizing the building of a battleship but not letting them put any guns on it. Airplanes and airplane carriers are as essential a part of the fleet as any other parts, whether they be guns, or men to operate them, or fuel to run the ships.

But in addition to the exact number that we need in the fleet this Nation has to have airplane carriers in the Atlantic. Even though we cannot have a full fleet in the Atlantic we must be able to scout way out to sea 1,000 miles or more so that we shall know in advance of the possible movements of a hostile force. Remember, nations do not declare war nowadays, they simply start to make it. The first you may know of a war is when the bombs start landing on your cities. So we must be prepared to have a scouting force that can find ships far out in the Atlantic to warn us in advance. The job of the Army Air Corps is to defend the actual coast itself

against possible invasion. The planes aboard a carrier are essentially scouts. They are not a combat force in the sense that they could carry on independent military operations against Japan or any other country. They are our sea scouts. Many of you in this House were in the World War. You know how important the lookout posts were in no man's land. So that you would not be surprised, you had to have them. These airplanes and these carriers are our advance lookout posts so that we may know of the possible movement of any hostile force in our direction before that force reaches our shores and wrecks its terrific damage upon our industrial plants and upon our civilian population. It is the cheapest possible kind of defense, for if we know that the enemy is coming, especially if we know long enough in advance that he is coming, we can be properly prepared. This goes far beyond that, however. I am convinced, and I know many Members of this House who have studied this problem are convinced, that if the world knows that this Nation is adequately prepared to defend itself and to retaliate against any possible aggression against this country if necessary, nobody will attempt it. If hostile forces know that we have the aircraft carriers to warn us in advance before they can get well started across the ocean toward us, they will never start, in my opinion, because one of the greatest elements in war is surprise, and if we take that element away from any hostile force so that we can have time to be prepared before they get here, they will probably never come.

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield myself 5 additional minutes.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield.

Mr. MILLER. Would the gentleman care to comment on the need for lighter-than-air craft?

Mr. MAAS. Yes. I know that lighter-than-air craft can be a most valuable element in our national defense. The blimp, a small nonrigid ship, is quite different from a dirigible. During this neutrality patrol the blimp demonstrated that it could perform a most valuable service that no other type of weapon can perform—and when I use the term "weapon" I mean in the military sense, although it is not essentially a combat unit. Lighter-than-air craft can go out in all kinds of weather. They can come down very close to the surface of the water. They can engage in shore patrol or offshore patrol where the airplane would not dare come down through a fog, for instance, for fear that before they saw the water through the fog they would hit the water. The dirigible can be let down very easily, and even come to rest on the water if it has to. That type of aircraft can perform in any kind of weather. It can hover motionless in the air, it can follow at the speed of a surface ship, which an airplane cannot do. It can perform a tremendous service in antisubmarine patrol duty. As many of you know, I served in aviation during the World War in an antisubmarine patrol. We were flying planes then, but we could see submarines submerged under water from our planes. In those days we flew at about 80 miles an hour, but today we are flying at from 300 to 400 miles an hour. That is too fast for effective submarine scouting. You can slow a blimp down to any speed you want. You can even stand still, and on a clear day you can see a submerged submarine to a very considerable depth. The blimp can also carry bombs enough to put whatever submarines it may find out of commission.

Mr. VAN ZANDT. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. A moment ago the gentleman mentioned the transfer of the fleet from the Pacific to the Atlantic or from the Atlantic to the Pacific. With the gentleman's knowledge of military affairs, what is his position on the extra set of locks at the Panama Canal? Are they absolutely necessary for military defense purposes?

Mr. MAAS. In my opinion, they are. I think we ought to have the extra set of locks. It seems to me foolhardy to permit the life line of this Nation to be dependent on the single set of locks which we have today. The only alternative

is two fleets, and we simply cannot afford two fleets at this time. We ought to have them, but we cannot afford it.

Mr. VAN ZANDT. The gentleman, I take it, would, then, prefer the extra set of locks to a two-ocean Navy?

Mr. MAAS. No. I would rather have the two-ocean Navy. That would make us absolutely invulnerable, but the national economy of the country at the present time cannot support a two-ocean Navy.

Mr. VAN ZANDT. Then the gentleman would prefer the locks?

Mr. MAAS. It would not do us any good to have the finest Army in the world and the greatest Navy in the world if we could not feed and pay them.

I want to call attention to the policy which the Committee on Naval Affairs has initiated in this bill. We are headed toward a definite policy of legislating only 2 years ahead for authorizations so far as the Navy is concerned, which I think is a splendid program. We do not want to find ourselves in a position again of having authorized a big navy and then some peace treaty comes along and we have to sink half of it. We are going to keep close check on the Navy. In my opinion and in the opinion of the committee, this bill represents the bare minimum, the absolute necessity, in the way of authorizations for our Navy, below which it is actually dangerous for this Nation to go. This permits the Navy to increase step by step as the rest of the world increases their armament, and we will thereby keep this country out of war. [Applause.]

Mr. TABER. Will the gentleman yield?

Mr. MAAS. I yield to the gentleman from New York.

Mr. TABER. As I understand, it is proposed to build three aircraft carriers in this additional tonnage?

Mr. MAAS. That is correct.

Mr. TABER. They will run something like 26,000 or 27,000 tons apiece, is that about right?

Mr. MAAS. That is approximately correct. Twenty-six thousand five hundred tons.

Mr. TABER. About what are each of them expected to cost?

Mr. MAAS. About \$47,000,000.

Mr. TABER. How does that compare with the tonnage we have been building in the last few years?

Mr. MAAS. Does the gentleman mean in aircraft carriers?

Mr. TABER. Yes.

Mr. MAAS. We had not arrived at a definite answer until the present time in regard to that. The first one was a small converted ship, the *Langley*, which was a trial. Then we took two of the huge battle cruisers we were building during the war, which we were not allowed to complete, as such, and made them into aircraft carriers, the *Saratoga* and *Lexington*. They were found to be not entirely satisfactory, excessively costly in operation, and not of the desired type. Then we got into a wave of economy and we started building small ones. We found those were too small; they did not have the speed; they could not carry any protection at all. We think we have now hit upon the right plan.

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield myself 2 additional minutes.

Mr. TABER. The present set-up consists of such as the *Wasp*?

Mr. MAAS. The *Wasp* and the *Hornet*.

Mr. TABER. They are about 19,000 tons?

Mr. MAAS. Yes.

Mr. TABER. They cost somewhere around \$25,000,000?

Mr. MAAS. Somewhere in that neighborhood; yes.

Mr. TABER. They will carry approximately 150 planes?

Mr. MAAS. No; not that many.

Mr. TABER. One hundred and thirty?

Mr. MAAS. About 100 planes.

Mr. TABER. About 100. Similar to the *Lexington* and *Saratoga*?

Mr. MAAS. Yes.

Mr. TABER. How much speed do they make?

Mr. MAAS. Which ones does the gentleman mean?

Mr. TABER. The ones that are being built.

Mr. MAAS. Does the gentleman mean the *Hornet* and the *Wasp*?

Mr. TABER. Yes.

Mr. MAAS. They are about 32 knots.

Mr. TABER. What speed does the gentleman expect the proposed 26,500-ton ships will have?

Mr. MAAS. That is a military secret. There will be an increase in speed, but that is properly a matter that ought to be confidential.

Mr. TABER. What does the gentleman expect in the way of the number of planes that may be carried, or is that a military secret?

Mr. MAAS. It is not entirely a military secret although they have asked us not to disclose it because there is no reason to give that information to possible enemies in advance. Also, it will depend somewhat on the development of the types of planes that are found most successful. These ships carry everything from single-seated scouting planes up to twin-engine bombers. It depends a great deal upon the proportion that is finally agreed upon as to the total number of planes that may be carried.

Mr. TABER. It depends on the type of planes the ships carry as to how many they may carry?

Mr. MAAS. Yes. [Applause.]

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. DARDEN].

Mr. DARDEN. Mr. Chairman, I do not believe anything can be added to what the chairman has said in his explanation of this bill. The committee worked on it for over a month. If there is anything that can be taken out of it with safety to the country, if there is any economy that we can make that we did not make, I should like to have it pointed out, because I, for one, would be willing to agree to any reduction possible in this bill that did not jeopardize what I believe are the vital interests of the country.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. DARDEN. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. How many battleships and cruisers have been authorized and are now under construction?

Mr. DARDEN. The battleships authorized and now under construction number eight. There are two carried in the appropriation bill for this year, but there are no battleships authorized in the bill now under consideration. Sixty-six thousand five hundred tons are here authorized for cruisers.

Mr. WHITE of Idaho. I understood it was proposed to construct two new battleships.

Mr. DARDEN. Provision for two battleships is made in the naval appropriation bill for this year, two 45,000-ton battleships, raising the number of battleships under construction or appropriated for to ten. However, the bill under consideration does not carry provision for a battleship.

Mr. WHITE of Idaho. How much money is being authorized to be appropriated by this bill?

Mr. DARDEN. In its entirety, the bill authorizes \$654,902,270.

Mr. WHITE of Idaho. It is in excess of half a billion dollars, and no battleship is included in the authorization.

Mr. DARDEN. By battleship the gentleman means a heavy capital ship of 35,000 tons or more?

Mr. WHITE of Idaho. I mean a capital ship.

Mr. DARDEN. Under the terms of the Washington Treaty, a capital ship is any ship above 10,000 tons. Some of the ships authorized herein are above 10,000 tons so that technically they would be capital ships, but there are no battleships authorized in this bill; that is, the heavy 35,000- or 45,000-ton ships.

Mr. WHITE of Idaho. Is the authorization in this bill limited to cruisers and destroyers, and vessels of that kind?

Mr. DARDEN. There are no destroyers authorized in this bill. When the bill was first introduced, a number of destroyers were included, but we found on consideration that there was unused tonnage of some 61,000 tons, which would

give us, if we continue the construction of the ordinary type, the 1,500-ton destroyer, 40 destroyers, and if we use the tonnage in the construction of leaders, the 1,850-ton ships, it would give us 33 new destroyers. For this reason we cut from this bill all destroyer tonnage, so that it does not include any authorization for the construction of destroyers.

Mr. WHITE of Idaho. With the \$650,000,000 authorized in this bill, how many ships will be constructed?

Mr. DARDEN. Twenty-one combatant ships, 22 auxiliary vessels, and 1,011 airplanes.

Mr. WHITE of Idaho. With these 21 ships and the ships that are now under construction, will we not have a very large navy?

Mr. DARDEN. We will have a very powerful navy. We will have a navy that will be almost as powerful as the British Navy, and it will be by all odds the most powerful Navy we have ever had, not only in number of ships but more particularly in fire power or striking power, the capacity of the individual ships.

Mr. WHITE of Idaho. The British Empire is engaged in a great war. Does the gentleman take into consideration the use the British Government is making of its Navy at present?

Mr. DARDEN. Yes.

Mr. WHITE of Idaho. The British Navy has had to abandon Scapa Flow and practically put its ships in seclusion for safety purposes.

Mr. DARDEN. The gentleman makes a great error if he assumes the British Fleet is in seclusion. It is true the British Navy has probably abandoned Scapa Flow for the time being, but it is also true that it abandoned Scapa Flow in the early part of the last war. However, it returned to it to complete the blockade that broke the power of Germany. The operations of the British Fleet in this war have almost destroyed German shipping on every sea of the world. It has not done it entirely, but it has imposed upon Germany a strangling blockade. Therefore, far from being hidden or unused, the British Navy is playing the most vital part in the war today.

Mr. WHITE of Idaho. The gentleman has not heard of any operations against any German forts or the taking of any German land fortifications?

Mr. DARDEN. Naval forces are not constructed to operate against land fortifications except under very peculiar conditions. There has been no occasion in this war, as far as I know, to attempt to use the British Navy against the land fortifications of Germany.

Mr. WHITE of Idaho. In the last war they attempted to take Zeebrugge and failed.

Mr. DARDEN. No; they never attempted to take Zeebrugge and failed. What the British did there was to send an expedition to block the channel of Zeebrugge and make it inaccessible as a submarine base. In that operation they were partially successful and they materially damaged the base. They did not use against it any capital ships of a size sufficient to destroy the land batteries guarding it. It was a difficult operation carried out with old ships, and part of the old ships were left there to block the entry to the canal.

Mr. WHITE of Idaho. The gentleman knows the record of failure at Gallipoli in Turkey, does he not?

Mr. DARDEN. No; I am not acquainted with that failure. The attack at Gallipoli was an attack that, had it been backed with sufficient naval force, augmented by land forces, might have brought the war to an end some 18 months prior to its conclusion. It was a brilliant attempt, but it was not implemented with enough armed forces to make it successful.

Mr. WHITE of Idaho. You know they lost several of their biggest ships in that venture?

Mr. DARDEN. No; I do not know it. What ships did they lose at Gallipoli?

Mr. WHITE of Idaho. I cannot recall them, but was not the *Triumphant* one?

Mr. DARDEN. They used the *Queen Elizabeth* there, and it is true that several of the English ships were lost, but they were not the biggest English ships. The French and English submarines did great damage in the Sea of Marmora.

Mr. WHITE of Idaho. And does not the gentleman recall that when they attempted to impose sanctions on Italy and massed their fleet in the Mediterranean, for some reason, when they found out the Italians had a superior air force and had these mosquito fleets, they simply withdrew and abandoned their enterprise?

Mr. DARDEN. No; they never abandoned the enterprise at all. They shifted a major part of the British Fleet from Malta and concentrated it in Egypt, where it was more valuable as a weapon. The fleet did not abandon the operations in the Mediterranean. England withdrew before she went as far as she might have gone in reference to sanctions.

Mr. WHITE of Idaho. But she did not carry out her plan to keep Italy from attacking Ethiopia and imposing sanctions at the same time.

Mr. DARDEN. I cannot go into that matter now, as I have not the time.

Mr. WHITE of Idaho. We are talking about the use of a navy, and I think we are on a very important subject.

Mr. DARDEN. I have not much time, or I would be pleased to go into it further.

Mr. SUTPHIN. Mr. Chairman, will the gentleman yield?

Mr. DARDEN. I yield to the gentleman from New Jersey.

Mr. SUTPHIN. In this program it is contemplated, is it not, that additional shipbuilding facilities will be authorized?

Mr. DARDEN. Yes; that is true.

Mr. SUTPHIN. Where are they to be located?

Mr. DARDEN. Ship facilities can be located wherever they are needed under the authority of the act of 1938, which authorized not only an increase in naval construction but also an increase in naval facilities. There was added to this bill, in section 5, I believe it is, an authorization for docks and yards at Portsmouth, N. H., at Philadelphia, Pa., and at Norfolk, Va. These additions are very much needed; and if the building docks are constructed at the three yards, they will not only be available for building but they will be available for repair and maintenance of the fleet after the construction program is completed. Naturally, I am particularly happy to see included this project for Norfolk. It will contribute much to a yard which I believe to be one of the finest in the world.

Mr. SUTPHIN. And if these building docks are completed, it will be possible to construct capital ships in those docks?

Mr. DARDEN. Yes; with the exception of Portsmouth, N. H., where submarine building is concentrated.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. DARDEN. I yield.

Mr. GIFFORD. The gentleman probably would not recall my remarks last year that a \$45,000,000,000 debt is not a good rampart for national defense.

Mr. DARDEN. I have no quarrel with the gentleman on that.

Mr. GIFFORD. But I want to suggest this to the gentleman from Idaho: There might be a way of paying for this that would not interfere with his objection to the bill, and I am not for the bill. I would suggest to him that somebody might offer an amendment that we take the silver bullion we have in the Treasury and coin it at 1.29.

Mr. DARDEN. I did not yield for any interchange of comment on silver.

Mr. GIFFORD. I simply want to compliment the gentleman—

Mr. DARDEN. I am not going to yield any further on silver or anything else that is not relevant to the pending measure.

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I yield the gentleman from Virginia 5 additional minutes.

Mr. DARDEN. The gentleman from Ohio [Mr. JENKINS] earlier today touched on a matter that I think is very important, and I think, frankly, we ought to discuss it here. The limiting of this program does not represent actually a saving of money. We have materially cut the authorization; but, as the gentleman points out, we have also cut the time

limitation, so that while the bill started out with an authorization of \$1,596,000,000, and while it ends up with \$654,000,000, we have cut from it 3 years for the period of construction and limited the spending of that money to 2 years. Now, all of the money will not be spent, even if appropriated, within the 2 years, but we propose here that the ships be laid down in 2 years and the Government will be obligated for them and must, of course, pay for them. The actual expenditure of the money will probably go over a period of 3½ to 4 years.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DARDEN. I yield to the gentleman.

Mr. SMITH of Ohio. In connection with the gentleman's statement, is it not a fact that this program spends more in the 2-year period than would have been spent under the 5-year period?

Mr. DARDEN. No.

Mr. SMITH of Ohio. I beg the gentleman's pardon, but is not the difference \$16,337,660?

Mr. DARDEN. It is, apparently; but here is the explanation of that situation:

If we should authorize all of these ships in a 5-year program, and they should be appropriated for, they would be laid down, and the Nation would be obligated. The gentleman is right, if he apportions the time as between 5 years and 2 years, and then reapportions the money; but that is not a fair test, because if they are authorized and appropriated for, they would be laid down. They would probably all be laid down in 3 or 3½ years, and the Nation would be obligated.

Mr. SMITH of Ohio. I wish to bring out the fact that there is no real saving. On the contrary, the average annual expenditure proposed under the 2-year program is about \$8,000,000 more than under the 5-year program recommended by the Navy Department.

Mr. DARDEN. Oh, yes; I think there is a great saving, and I shall take a moment to answer that. Here is what we hope, those of us of the committee who have studied the matter. Our problem is now complicated by a war in the east and a war in Europe, but we hope that at the end of 2 years the picture will be much better; and, frankly, if things in the world are much better, we propose to materially scale down naval spending, but if we go forward now on a 5-year program we will be obligated to it, and we will not have that opportunity. I say to the gentleman, every single thing that could possibly be done was done by our committee in our attempt to reduce the costs involved in this authorization.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. DARDEN. Yes.

Mr. COLE of New York. Is it not an accurate statement that this bill as recommended by the committee represents a reduction in the original request of the total cost of approximately \$900,000,000, as of today, if the bill is passed?

Mr. DARDEN. Yes; that is accurate. That is what it represents in potential savings, and that is what we hope we will be able to save actually if world conditions improve as we hope they will. At the same time we do not sacrifice any of our vital needs of today.

One minute more and I am through. I realize there is some question in the minds of Members here, with reference to the advisability of authorizing three additional carriers at a cost of \$140,000,000. It is always difficult to know in military matters just what the value of a weapon is, and if we have erred, we have erred on the underside in this provision. The carrier tonnage is the only tonnage that we did not cut in this bill. After listening to the naval experts, we felt that it would be unsafe to attempt to cut the carrier tonnage. Our position is roughly this: We have today five carriers that are in service. They are the *Yorktown* and the *Enterprise*, two of the new ones, that have just joined the fleet. There is the *Ranger*, of fourteen-thousand-and-odd tons, and the old *Saratoga* and the *Lexington*. They are converted battle cruisers, battle cruisers that had been laid down when we

entered the naval-limitation agreement of 1921. We took two of them and made carriers of them. We are building the *Wasp*. She will be delivered to the Navy within 2 or 3 months, as she is almost completed. And we laid down about 3 months ago the *Hornet*. These represent all we have in carriers. The British have eight carriers with their fleet now, and seven under construction. The Japanese fleet has six carriers, and so far as we can learn two more under construction. The other navies of the world have comparatively a small number of carriers. Our air problem is difficult in this. It is vital that we keep open the Panama Canal. Nothing would so damage us as the closing of the Canal, because it would leave us vulnerable on either one coast or the other.

We have a great naval force now that is undivided, and its strength and its value to the Nation lies largely in the fact that it can be transferred from one ocean to the other very rapidly and can be effective in either. A great part of the effectiveness and protection of the fleet lies in its carriers. The carriers that we have are capable of handling between 75 and 100 planes each. When we get through with these 3 carriers, for which we are asking, our carrier-plane strength will be about 500 planes, which is not a very large air force accompanying the fleet at sea. The carriers can be used in connection with our fleet, or they can render very fine service detached and made a part of a fast mobile wing operating in either one ocean or the other. We feel we need the 3 extra carriers. We felt it so strongly that the third carrier which was to be laid down 3 years from now we moved up in the program and made it a part of the 2-year program and decided to ask that all the carriers be laid down at once. They will be of material assistance to us not only in fleet operations but in guaranteeing the integrity of the Panama Canal. They will pay for themselves many times over if we are so unfortunate as to become involved in war by the service that they can render in scouting and in actual combat with the enemy. We carry scouting planes on many of our fighting ships, but the carriers are the only ships on which we can rely for fighting planes when the critical time comes at sea.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. DARDEN. I yield.

Miss SUMNER of Illinois. Did I understand the gentleman to say that the Department recommended two carriers now and another one later, and the committee felt so strongly that they were needed at present that they recommended three at once?

Mr. DARDEN. The Department recommended three carriers as part of the 5-year program. When we started cutting the 5-year program we moved up one of the carriers to be certain that it was included in the 2-year program, because we thought, in comparison with the other ships contemplated, that that one carrier was most important. I believe the plans of the Navy contemplated the laying down of the third carrier at 2½ or 3 years. One of the things that troubled us was the dock capacities of the Nation. We have had to lay down a program with that in mind, because we have only so many facilities that are available for heavy ship construction.

Mr. MAAS. Mr. Chairman, will the gentleman yield?

Mr. DARDEN. I yield.

Mr. MAAS. And we found that that third carrier would be needed whether we went on with the program beyond the 2½-year program or not. All three carriers are needed for the present Navy?

Mr. DARDEN. Yes; we felt that very strongly. I believe that if the House had told us, "You can select one class of ship only," I believe the committee would have decided to abandon everything save these three carriers. I think the committee feels that this is a vital provision. Certainly I feel so. I think that these ships, the carriers, are vital to the success of our naval operations in either ocean. [Applause.] [Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, while I do not infer from the statement of the gentleman from Georgia [Mr.

VINSON], chairman of the Naval Affairs Committee, that he intended to give the impression that any money saving had been made because his committee authorized \$645,902,270 for a 2-year Navy building program instead of the \$1,596,411,277 for a 5-year program, as recommended by the Navy Department, yet, as the gentleman from Ohio [Mr. JENKINS] pointed out, this might be interpreted as indicating a saving.

It should be clearly understood that not only is there no saving, but the average annual amount to be spent under this 2-year program is more than the average annual amount would have been under the 5-year program.

Under the 5-year program the average annual amount spent would have been \$319,282,255. Under the 2-year program the average annual expenditure would be \$327,451,135.

Thus, under the 2-year program proposed now, the average annual expenditure exceeds that of the 5-year plan by \$8,168,880.

Considering the serious state of our national finances and our very sick economy, the question of appropriating this money for added naval expenditures cannot be categorically answered by merely referring to what this country might need. No one questions the desirability—yes; the absolute necessity—of a thoroughly adequate navy; but under the deplorable circumstances which presently attend our Nation this point may easily be overemphasized.

I am convinced in my own mind that unless something materially can be done to restore our Nation to a normal and healthy economy we shall have difficulty maintaining even the naval power we already have.

Every penny for this appropriation must be obtained by borrowing against the future, against the toil of our children. What a sad commentary it will be upon our generation for our children to learn that they will not have only their own peacetime defense to pay for but that of their parents and grandparents as well.

It would not be quite so bad if only the matter of national defense were involved, but to think that our generation cannot even earn its own livelihood but must ask its children and grandchildren to bear a large share of this burden is anything but pleasant to think of.

Mr. MAAS. Mr. Chairman, I yield 13 minutes to the gentleman from Illinois [Mr. CHURCH].

Mr. CHURCH. Mr. Chairman, this bill, H. R. 8026, authorizing an increase in the naval strength of the United States, should receive the unanimous support of this House. It is presented to you by our Committee on Naval Affairs after extensive hearings and a very careful examination of the Navy Department's expansion recommendation in the light of world conditions.

When we began our hearings on January 8, the committee had H. R. 7665 before it. That bill embodied the Department's recommendation. Without hysteria and without any partisan considerations, we proceeded to examine it. Every member had only one thought in mind: to determine the essentials for an adequate national defense for our people so that this country may continue to enjoy safety and security at a minimum of expense. This bill now before the House embodies those essentials and no more.

As the hearings on H. R. 7665 progressed, it became apparent that the naval-expansion program recommended by the Department for authorization at this time would not be warranted. It would commit the people to a 6-year long-range program costing \$1,596,411,277. Such a commitment would be unwise. No one can foresee what the future world developments will be, and no one can predict what technical naval developments may make certain types of vessels more effective than other types. Considering the present condition of our National Budget, with a public debt of almost \$45,000,000,000, it certainly would be unwise to authorize a program involving an expenditure of over \$1,596,000,000.

If we had accepted the Department's recommendation, the Committee on Naval Affairs would have divested itself of any necessity of examining the requirements of the Navy for many years to come. We would simply be turning over to the President and the Navy Department virtually blanket au-

thority to run the Navy as they saw fit. In my judgment, it was a most extraordinary recommendation; and, I am frank to say, I am somewhat at a loss to understand exactly why it was made.

By the act of 1934 an increase in the Navy to the treaty limits was authorized. Superimposed on that was a still further increase of 20 percent authorized by the act of 1938. This year the President and the Navy Department asked for another increase of 25 percent. But the important part of the recommendation was not simply the extensive increase, but the fact that under the terms of the bill the President would be given full discretion in determining what types of vessels may be constructed out of the total tonnage authorized. Instead of the Congress deciding how many destroyers or how many submarines we should have, leaving it to the naval experts to show the need, for some unknown reason it was proposed that we give the President the power to decide that without the necessity of consulting Congress.

Not only that. It was also proposed under the terms of the original bill that a blanket authorization be made for the expenditure of whatever sums the President and the Department saw fit for "equipment and facilities at navy yards for building any ship or ships" that have already been authorized or may at some future date be authorized. It had no limit. It amounted to saying, "You go ahead and place equipment you deem essential at whatever navy yard you please." At no time would the Department be obliged to explain to the Naval Affairs Committee why it needed certain facilities or equipment at certain yards. At no time would the Navy be obliged to ask Congress for authorization of the proposed facilities.

As I have previously indicated, what the President and the Navy Department recommended under the terms of H. R. 7665 was, in effect, the abolishment of the Committee on Naval Affairs and permission to run the Navy exactly as they saw fit. That is an unwise policy. It is not only unwise—it is extremely dangerous. It is inimical to democracy, and I will never be able to understand why the recommendation was made.

I do not question the patriotism and the loyalty of our naval officers. Nowhere will be found a finer, more intelligent, and more patriotic group of men. But the time has long since arrived when those who serve in the executive branch of the Government, whether in old-established departments or in these new agencies, must be made to realize this Government belongs to the people. For the people, who elect us to office, Congress must retain its control and make the decisions on policies. It is for the Executive to recommend and for Congress to decide. If we delegate away our power of decision, we will have betrayed the people's trust, and in due course representative government in the United States will cease to exist, as it has in other countries of the world.

I certainly could never have approved the President's and the Department's recommendation as embodied in H. R. 7665, and I made my position very clear in that respect at the outset of the hearings. Our Committee on Naval Affairs could not see the wisdom nor the necessity of vesting blanket discretion in the President in a long-range expansion program. And on January 18 our able chairman, the gentleman from Georgia [Mr. VINSON], introduced H. R. 8026, which is the bill before the House today in an amended form.

This bill has eliminated the broad grants of discretion requested by the President and the Department. It has narrowed the 6-year expansion program to a 2-year program. The cost has been reduced from \$1,596,411,277 to \$654,902,270. In reporting this bill in this amended form our committee is recommending authorization of only that which the Navy Department has shown to be essential for our defense and that which the Department can construct in 2 years. We could not see the wisdom nor the necessity of authorizing construction which could not possibly be undertaken and completed in less than 6 years, particularly when the Congress is in session every year and the committee can again consider any further authorizations that may, in the light of events, prove necessary.

I am really proud of my Committee on Naval Affairs for the work it has done on this legislation. And I think you may be reasonably sure our committee will not report out the other unusual recommendation made by the Secretary of the Navy to give the President during a so-called national emergency the same powers as he would have in time of war. The recommended bill, as you know, would have enabled the President by proclamation to commandeer all our factories and materials. Under the terms of that proposal, the President would control our entire industrial machinery in peacetime in the same manner as he serves as Commander in Chief of the Army and Navy. The proposal had possibilities of completely destroying democracy. When questioned before our committee concerning this recommendation, the Secretary said:

I just made a mistake in making it. It is as simple as that.

I do not know from what source that recommendation originated. Nor do I understand how anyone could fail to see its implications. Had not our people been vigilant and had not their representatives in Congress expressed their opposition to the recommendation, the Secretary's mistake may have proved costly to this democracy. But let our experience with this matter be evidence abundant of the need for constant vigilance that our liberties may be secure.

During these last 7 years it has become a common practice to recommend legislation delegating broad powers to the President and the departments of the Government. It has become a routine matter, so routine, in fact, that a Cabinet officer proceeds to suggest giving the President wartime powers over industry in peacetime without even so much as noting its implications.

Our Committee on Naval Affairs has set an example. I am proud of it. It completely ignored the Secretary of the Navy's "national emergency Presidential power" recommendation and has completely revised the naval-expansion program so as to eliminate the broad grants of discretion. We are authorizing only that which is essential.

It is my conviction our people desire to keep out of foreign wars and at the same time establish a strong national defense. This bill is essential for our defense, and I hope it will receive unanimous approval.

This bill follows the principle I have and will always advocate: "Millions for defense but not one cent for foreign aggression."

[Applause.]

[Here the gavel fell.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, I am glad to note in section 3 of this bill for national defense a provision with reference to lighter-than-air craft, and I wish to address my brief remarks to that subject.

There is some conflict of opinion with reference to the function of an airship, yet I think there are certain purposes to which it is adapted and for which it is designed which can lead to no difference of opinion.

We have a very extensive coast line in our country, a coast line that in time of war needs practical and profitable defense. It is generally recognized that as a reconnaissance or scouting vessel the dirigible has certain advantages over all other craft of the air. It alone can hover and keep a definite place in the sky. It can attain heights which will enable it to spot submarines under the water. By such armament as dirigibles themselves may carry, or by such information as they can communicate to the vessels of attack, they can be instrumental in the destruction of submarines that may invest our shores.

The present bill calls for the addition of only four of these small implements of defense to our present facilities in that regard.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield briefly.

Mr. WHITE of Idaho. The current newspaper account is that we are sending airplanes that will make 400 miles an

hour to the Allies. What defense would one of these airships have against an airplane of that type?

Mr. LANHAM. For the present I am speaking simply with reference to our coastal defense, if there should be an invasion by submarines, and not with reference to sending airships out to sea. We certainly would have plenty of airplanes on our shores to give them the necessary protection while they carried on their work of scouting for submarines.

Mr. SUTPHIN. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. SUTPHIN. I want to say to my friend that at the present time the eight lighter-than-air craft that we have are in use on the neutrality patrol flying over the sea every day.

Mr. LANHAM. I thank the gentleman for this contribution. I am sure that for many years we have all observed this commercial Goodyear blimp in the sky over Washington. The Goodyear Co., with six of these blimps, has flown millions of miles, with perhaps half a million passengers, and they have not injured one so much as by the scratch of a finger. We have a very great opportunity in this country of which we have not taken due advantage. This opportunity is afforded us by reason of the fact that we have relatively a world monopoly of the supply of helium, which is the one element that makes practical and feasible the operation of these lighter-than-air ships. Unfortunately, we have wasted enough helium in this country to have lasted us for a century in the maximum operation of dirigibles. We have become more interested in recent years in its conservation. Providence has blessed us in giving us a bountiful store of this invaluable asset.

There are many other functions of the helium-filled dirigible needless to discuss at this time. It is true we have had some accidents with the dirigibles we have had heretofore, but those accidents are easily accounted for and have been explained by that outstanding airman of our country in the lighter-than-air field, Commander C. E. Rosendahl.

In view of the fact that this bill comes from the Committee on Naval Affairs, I think it well at this time to repeat a suggestion I have made heretofore, that the personnel assigned to the operation of these dirigibles should be kept in this field of endeavor. [Applause.] They should not be shifted about from one post to another. Their technical training should not be interrupted.

Mr. MAAS. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. MAAS. I think the gentleman is making a most valuable contribution to this subject; and I will say that during the hearings the committee itself took this matter up and asked the Secretary of the Navy if he would not look into it. He is now directing that a study be made of that particular subject. I am glad the gentleman has contributed that thought.

Mr. LANHAM. I am very glad, indeed, to have that information. Such a course is necessary for efficient operation.

Now, let me call attention to another thing. We have been stressing recently the importance of the solidarity of the countries of the Western Hemisphere for the peace of the world. This is most essential. It behooves us in carrying out the good-neighbor policy to do all we can to strengthen and promote the harmonious relationship between the United States and the countries of Central and South America, as well as our neighbor to the south. For a great many years the German nation sent its dirigibles across the Atlantic to Rio de Janeiro, Brazil. It is surprising in view of the fact that they did not have this noninflammable element, helium, that they could carry on so long and so successfully with dirigibles filled with an explosive gas. The people of Brazil were so fascinated by and infatuated with the daring and the novelty of this lighter-than-air transportation in its transoceanic route that they constructed in the city of Rio de Janeiro an enormous hangar to house the dirigibles coming from over the sea.

What an opportunity we have as the sole possessors of helium in sufficient volume to carry on successfully to pro-

mote this friendly spirit and to send these dirigibles down to Central and South America on missions of neighborly good will. And I am hoping and believing that the day will come when commercially we shall be able to have larger vessels of the air that will supersede the traffic that was formerly carried by Germany. Let us use lighter-than-air aviation for promoting our commerce as we promote the good-neighbor policy. We have not been alive to our opportunities with reference to this wonderful God-given element that we possess and control so exclusively. The other nations of the earth have been seeking for it, but seeking in vain. Let us conserve it; let us use it as occasion may require for purposes to which it is adapted; let us devote it to the causes of peace and of friendly commercial enterprise and to the defense of this Nation of ours if any abroad should ever be so bold as to dare to interpose to force their will upon the intrepid souls who inhabit this land of ours, which has been, is now, and we hope will always be the land of the free and the home of the brave. [Applause.]

[Here the gavel fell.]

Mr. COLE of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Oregon [Mr. MOTT].

Mr. MOTT. Mr. Chairman, as I have listened to this debate I have been impressed, as I am sure all Members must have been, with the absence of any substantial opposition to this bill. I regard this as no inconsiderable compliment to the Naval Affairs Committee, of which it is my privilege to be a member, and particularly I regard it as a compliment to the distinguished chairman of our committee, the gentleman from Georgia, Mr. VINSON. [Applause.]

This bill (H. R. 8026) to establish the composition of the United States Navy, has been so thoroughly and so well discussed, and from almost every angle, that I have no desire here to go into a detailed argument on it. I think the debate thus far has shown that to be unnecessary. It seems to me the House is to be congratulated on the very thorough, sensible, and entirely nonpartisan manner in which the Members have approached the problem involved in this bill. A number of things have been brought out in the debate today which I believe will prove to be of benefit not only to the Congress but to the whole country. For example, the figures and facts which have been given as to the present size of the Navy and as to what kind of a Navy we shall have when the full strength authorized by this bill is attained, I think will clear up a number of questions that have been bothering many of the people of this country for a long while.

Mr. Chairman, because there has been so much misunderstanding on this point in some quarters, I am going to take the time here to repeat the facts relative to the strength of the Navy in ships and in tonnage—I mean the strength that our Navy will have when the building program authorized by the pending bill is completed. We shall have in our Navy when all ships authorized under this bill and under previous law have been built, 18 battleships, 11 aircraft carriers, 48 cruisers, 139 destroyers, and 73 submarines, making a total of 289 under-age naval vessels. The actual increase over our present strength provided for in this bill is 3 carriers, 5 cruisers, and 6 submarines. This bill provides for no increase in the number of battleships or destroyers. It provides also for an increase in the naval air force of 1,011 planes—an increase of about 25 percent.

This, of course, will be a large navy, but even when it is entirely completed it will still not be as large, compared with those of other countries, as the Navy which was contemplated by the 1922 arms limitation treaty. I think that is an important fact which should not be lost sight of. At that time, with the view of achieving ultimate disarmament, and insofar as the other powers of the world would agree to any disarmament program, it was agreed upon by all the naval powers that for the purpose of adequate defense—a ratio in naval strength of 5-5-3 between Great Britain, the United States, and Japan was a proper ratio, and that if this ratio were maintained each of these nations would have a navy adequate for defense, but at the same time inadequate for carrying on an aggressive war against the other.

All of the naval powers of the world agreed to that. Japan agreed, England agreed, and all the other countries, including France and Italy. Each agreed to accept the ratio voluntarily agreed to and to maintain that ratio and not to exceed it. In order to bring ourselves down to that ratio, for we were then above it, we actually destroyed a great many of our valuable warships. We allowed other nations which were not then up to that treaty ratio to build more ships in order to come up to it. The other nations destroyed nothing but blueprints, while we actually destroyed battleships and cruisers. We were at that time, as I say, up to the 5-5-3 ratio, and we should have remained there. But we did not. Instead of remaining at the ratio by replacing our ships as they became obsolete we ceased almost entirely to build any naval craft whatever, and it was only a very few years ago that we resumed our naval-building program. We were literally forced in self-defense to resume it, because when the treaty expired Japan refused to renew it, and every nation except the United States had entered upon an unlimited building program.

When this bill is passed and when the strength of the Navy is brought up to the authorized strength contemplated in this bill, we will have, as I say, a large Navy, but even then the Navy will be smaller in relative strength than that called for under the 5-5-3 treaty.

Mr. MAGNUSON. Will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Washington.

Mr. MAGNUSON. May I point out to the members of the committee that part of this bill calls for the construction of auxiliary ships?

Mr. MOTT. That is true. The auxiliary ship construction must necessarily keep pace with the fleet, but I have confined my remarks thus far to combatant ships.

Mr. MAGNUSON. To the extent of about 183,000 tons. We are sadly lacking in those ships. We have built up fighting ships but have failed to build auxiliary ships.

Mr. MOTT. That in brief is the status of the Navy as contemplated in this bill. Now, when this program is completed, I want to emphasize the fact that we will still have a Navy that is entirely defensive. We will not have a Navy that is to be used for offensive purposes or which, according to the testimony of the naval experts who appeared before the committee, that can be used for offensive purposes. We will have a Navy which should enable us successfully to defend our own country if we should ever be called upon to defend it, but we will not have a Navy large enough or strong enough to enable us to carry on an offensive war against any major naval power.

Now, there have been two or three questions asked here, and in good faith. They have not been asked so much on the floor of the House, but I have heard them asked elsewhere repeatedly. I know those questions are being asked by the sincere and well-meaning people all over the country. One of the questions is, What is the Navy for? What do we intend to use it for? Do we intend to use this Navy to carry out a policy of power politics? Do we intend to use it as an instrument of aggression? My correspondence from my own State is replete with questions of that kind, and they ought to be frankly answered.

Let me say that it has never been the intention of the Naval Affairs Committee, nor of the Congress, nor, as far as I know, of anyone in the Navy Department to create or maintain a Navy for the purpose of enabling the United States to carry out a policy of aggression. I do not think a proposal has ever been made to the Congress in our whole history which, if enacted into law, would have given us an aggressive Navy, or one with which we could have gone out and carried on a conquest against another power or a combination of powers. That has never been the policy of the people of the United States nor of their Representatives in Congress.

Mr. WHITE of Idaho. Will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. Is it not a fact that in the last war we did use aggressive tactics? Did we not send Dewey down into Manila to conquer that country?

Mr. MOTT. We did take the Philippine Islands. Their acquisition by the United States was a part of the treaty with Spain. I have always thought it was a mistake. I have always thought that mistake should be corrected. I advocated giving back the Philippine Islands long before that proposal was ever made in Congress. I am glad our people have at last seen their mistake and that the Congress has now taken the necessary steps to correct it. The Philippine incident, of course, happened in another generation. I am speaking now of the present.

Mr. WHITE of Idaho. That was the last war we were in?

Mr. MOTT. No; we were in the World War since then. But, as I say, that happened a long time ago. If we had any aggressive or imperialistic ideas at that time, I think everyone will agree that we have long since abandoned them and that we have no aggressive policies now. We do not want to take the territory of any other country in the world. But we do want to be sure that no other power shall take any of our own territory or threaten in any way our own territorial integrity. And the main function of our Navy is to see to it that no other power or combination of powers shall ever do that.

Another question which has been asked in all seriousness is, Who are we going to fight and who is likely to attack the United States? Well, of course, if we were able to give a direct, categorical answer to that question, then the problem of national defense would be very easy to solve. Then we would know exactly how to protect ourselves. We would know precisely what size of Navy we needed. We would know exactly what kind of an Army was required. But, unfortunately, we cannot tell that. No other nation can tell it at the present time. No country has ever been able to predict in the whole history of the world just who was going to attack it, nor when.

Who could have foretold a few years ago that Italy was going to invade Ethiopia and, later, Albania? Who could have prophesied that Japan intended to overrun China or that Russia would invade little Finland? Those are things which cannot be foretold. We only know that the experience of history teaches us that about once in every other generation the United States has become involved in a war, not because we wanted war but because we could not help ourselves. That has been the case also with every other nation in the world. History has also proven to us that the only real guaranty against invasion that any nation has ever had has been an adequate defense, and by that I mean an adequate naval and military establishment.

Everyone knows why Germany attacked France in 1914. It was because France was not properly prepared at that time to defend herself. If Germany had thought that France was properly prepared, and if France had been properly prepared, Germany would not have attacked France at that time. Every student of history and of military affairs knows that.

[Here the gavel fell.]

Mr. COLE of New York. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. MOTT. France learned her lesson since the World War and she has managed to get herself in proper shape for defense. Her defense consists of the building of the Maginot line and the creation of probably the finest army in the world. And what was the result, so far as the invasion of France was concerned? With that defense Germany never in the world would have attacked France in this war. France and England, it is true, conceived it to be their duty last fall to declare war against Germany, but Germany of her own volition would not have attacked France because she knew she could not successfully invade France in the year 1940 as she did in 1914. No country properly defended can be the victim of aggression. Any country undefended may be such a victim.

There are two principal reasons for having a navy. The first and the most essential one is to preserve the peace. It is just common sense to realize that no power or combination of powers will incur the sacrifice and the expense of attempting to invade the United States if that power or combination of powers knows that the United States has a navy strong enough to keep an invading force away from the shores of the

United States or away from the shores of the western continent. As long as we have such a navy, I believe we will be reasonably safe from invasion. Without such a navy we are incurring a risk which we have no right to incur.

But suppose, after all, and with all of our preparation, another nation or a combination of nations should be so unwise as to decide to attack this country for any one of the purposes for which aggressor nations do attack. One of such purposes would be, of course, to obtain additional territory on the western continent, territory which they could exploit and which would furnish them with markets. That has always been one of the purposes of conquest, and recent history shows that it is becoming increasingly so. If they should be so unwise as to attack the United States, even though we are prepared, then the second reason for having a navy becomes obvious. Our Navy then becomes an instrument which will destroy the enemy navy and keep the attempted invasion of the United States or of the Western Hemisphere from becoming a success. I include the Western Hemisphere, because the safety of that hemisphere is an essential part of the security of the United States itself.

Mr. HAWKS. Mr. Chairman, will the gentleman yield?

Mr. MOTT. I yield to the gentleman from Wisconsin.

Mr. HAWKS. As a member of the committee, and after listening to the chairman of the committee, the question arises in my mind as to the numerical strength of the Navy at the completion of this program. Does the gentleman know what that will be?

Mr. MOTT. It will be a little less than 5-5-3.

Mr. HAWKS. No; I mean the personnel of our own Navy, the number of men, the number of sailors.

Mr. MOTT. I could not tell the gentleman offhand without consulting the figures, the exact number of additional sailors or the total personnel which will be required for the increase provided in this bill, but it will have to be sufficient to man the increased number of naval vessels. The exact figures on this point are in the testimony and are included as a part of the printed hearings.

Mr. HAWKS. Would the manning of the vessels be up to wartime strength?

Mr. MOTT. The manning of vessels in peacetime is not with a wartime complement. It is considerably under that. The suggestion has been made that, for the purpose of training, a personnel approximating wartime strength should be used on the ships, but that has never been done to date. In an emergency the personnel would be brought up to wartime strength through employment of the Naval Reserve and through enlistments.

Mr. HAWKS. Does the committee have the figures on the personnel?

Mr. MOTT. The committee does have the figures and the gentleman will find them in the printed hearings.

These are the sole purposes of the Navy. Everyone should be able to agree that it is desirable to have a Naval Establishment strong enough to prevent war insofar as it is possible to prevent war at all, and strong enough, in event war should come, to bring the war to a successful and a speedy conclusion. That is all the Naval Affairs Committee has tried to do in presenting this bill and in asking for its favorable consideration. I believe it will pass with practically no opposition. All that the people of the United States want.

I repeat that it is a compliment to everyone concerned that this bill, as it is now presented, comes in with so little opposition. I believe it will pass with practically no opposition. Its enactment will give the United States at least an adequate defensive Navy; and that, in my opinion, is the best, the cheapest, and the surest guaranty against war. [Applause.]

[Here the gavel fell.]

Mr. COLE of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES of Massachusetts. Mr. Chairman, in common with other members of the Committee on Naval Affairs, I believe it might be well for me to say a word, as it would for the other members of the committee, in respect to one of the most important pieces of legislation we have before us this year. Of course, we all understand the conditions which are world-

wide today and require us to give attention to our defense program. I do not know of any other committee of the House that has given more time and more serious thought and consideration to the work before it than the Committee on Naval Affairs of the House has given over the last 4 years.

We must always keep in mind that the real reason we, as representatives of this committee, are today recommending this program of expansion of our naval facilities is that over a period of nearly 20 years we have absolutely neglected building up the naval defenses of the United States. Not a battleship has been commissioned since 1923. In 1922 we had the so-called Washington Conference, at which the representatives of the great naval powers of the world were seated around the table trying to find some way by which we could bring about disarmament among the naval powers in order to stop the ruination and chaos which would surely have followed in the wake of the tremendous programs then going on among those naval powers. As a result of this conference the United States scrapped 28 battleships on which the American people had already spent over \$180,000,000. We were actuated by a spirit of good will and a spirit of better understanding. That was the purpose for which the conference was called, and a great good came out of it.

Shortly thereafter one of the nations began to expand its cruiser facilities. This necessitated later the calling of the so-called London Naval Conference of 1930, which put a limitation upon all types of combatant ships. Everything went along pretty well until 1936, when we found that one of the signatories to the agreement withdrew altogether and gave notice that it would be no longer a party to the 1922 or the 1930 agreements. The result was that other parties to the agreement withdrew, and all of them except the United States embarked on a program of naval expansion. We then had to give consideration to the question of expanding our own naval facilities. There was nothing else the United States could do because, after all, we in the United States have twice the coast line to defend than has any other nation in the world.

If we are to be able to defend adequately the coast line of the United States, which as I have stated is twice as long as any other defense coast line of any other nation in the world, then it is time for us to get busy and build the Navy of the United States up to a standard which will bring about adequate defense of the continent and also our insular possessions. So we are here today for the second time in a period of 3 years advocating and asking you to authorize a further expansion of our naval facilities 10 percent above the present authorized strength of the Navy. In 1938 we authorized an increase of 20 percent over the then prevailing strength of the Navy of the country. We believe that the committee has done a very exceptional job. Those of us who have given a good deal of time to a study of the bill know that the original bill called for an expenditure of \$1,100,000,000 for combatant ships. After a most careful study and after listening for many, many days, running into weeks, to the naval experts and others who are interested, we brought the bill down from \$1,100,000,000 to \$550,000,000 for combatant ships, and as a result of further study we now have it down to less than \$400,000,000 for combatant ships. We have gone from a 5-year program down to a 2-year program with the sole objective in mind of holding a check on the naval authorizations and, necessarily, the expenditures for naval purposes which will naturally follow this bill.

We are all mindful, of course, that a program of this kind is going to cost a lot of money. We well understand the financial condition in which the country finds itself at the present time, but we have made up our minds that in view of the uncertainty that is existing throughout the world today, that in order to adequately defend our possessions and this great democracy of ours we must support this bill and recommend it for passage to the Members of the House.

As a member of the committee I have given a great deal of thought and study to it, along with other members of the committee, and I want to compliment the very excellent and patient chairman we have who has been so tolerant of our critical analyses of some parts of the bill, and who has borne

with us. We feel today that we are recommending a bill that will stand the test of criticism, and in conjunction with other members of the committee I trust it will pass this House. [Applause.]

Mr. VINSON of Georgia. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania, Mr. FADDIS.

Mr. FADDIS. Mr. Chairman, this bill has been so thoroughly discussed from a technical viewpoint by the members of the committee and so ably presented to the House by the members of the committee that I feel that I can add nothing of value which is strictly pertaining to the bill. I particularly want to congratulate the members of the committee on the intimate acquaintanceship they have shown with all the details contained in the bill and also their intimate knowledge connected with the naval operations in which this country has engaged throughout the past 50 or 60 years. Mr. Chairman, I want to touch upon a subject today which has to do with our position in the world as a whole, and I want to state at the outset that I do not wish my remarks to be construed as any argument for a policy of imperialism. I am not advocating any policy of imperialism, but I merely want to call the attention of the committee and the country as a whole some of the facts connected with our commerce in the Far East. I do so with considerable hesitation and wish it to be distinctly understood that the ideas I express are my own and that they do not insofar as I know represent the ideas of any other individual or of any department, bureau, or organization connected with our Government. I make them solely upon my own individual responsibility as a Member of Congress and in accordance with what I believe to be my duty as a public official.

Our naval policy, is, of course, regulated by the demands, either actual or potential, which it may be called upon to meet. We do not desire a navy to further any imperialistic policy, but at the same time, we must have one sufficiently powerful to protect our economic and social interests if, when, or where the need may arise. No one can say for certain when the need may arise or that it will ever arise. Neither can anyone say for certain that the need will not arise.

During the consideration of the recent naval-appropriation bill and the question of the proposed harbor improvements on the island of Guam, it seemed to me as though there was some misunderstanding regarding the importance of our commerce with the Far East, and the large percent of our strategic materials which we secure from this quarter of the globe.

Of 20 strategic raw materials, necessary to our industrial and commercial life in time of peace and essential to our national defense in time of war, our principal source of 8 of them is from the Far East. These raw materials come from an area which embraces southern Japan, southern China, Siam, Burma, eastern India, the Malay Peninsula, Sumatra, Java, western New Guinea, the Celebes, and the Philippine Islands. This area normally produces 100 percent of the world's supply of manila fiber, 95 percent of the rubber, 95 percent of the quinine, 80 percent of the silk, 75 percent of the mica, 70 percent of the tin, 60 percent of the tungsten, and 30 percent of the antimony. The United States normally consumes 30 percent of this manila fiber, or 30 percent of the world's supply; 60 percent of this rubber, or 59 percent of the world's supply; 25 percent of this quinine, 75 percent of this silk, 30 percent of this mica, 45 percent of this tin, 30 percent of this tungsten supply, and 50 percent of this antimony. The above, let me repeat, is the proportion of our supply of these strategic and essential materials which comes from this sector of the world alone.

From the foregoing it can easily be seen that one of our most important commercial life lines stretches to the Far East. If this life line should be permanently cut, or its operation interrupted for even 6 months, our economic system would be seriously disrupted. Rubber and tin are the mainstays of two of our most important industries and there is no substitute for either of them.

Our automobile industry depends upon both of these commodities for its existence. We must have rubber for tires and

tin for bearings. Besides there are many other uses in automobiles for both of these materials. Can you imagine the state of affairs in this Nation if we could not procure rubber? Millions of people would be thrown out of employment by the shut-down of the industry and the allied industries which lean on it for support. Without the automobile our transportation systems would be so overloaded as to be unable to care for the demands made upon them. Our airplanes would be unable to operate. The use of thousands of domestic and personal articles made of rubber would cease. Commerce would be paralyzed. The use of cotton in fabric for tires and upholstery for automobiles would be seriously curtailed. The disastrous effects, which would result from the cutting off or curtailing of our supply of rubber are too numerous to mention.

Now, as to tin. I need not recount the various uses for the products of our mills which produce tin plate. They also are too numerous to mention. Many thousands of workers live from the proceeds of this industry. Let us consider the magnitude of our canning industry and what its interruption for only 1 year would mean to every rural section of this Nation. Thousands of farmers and their help would be deprived of an income. Fruit and vegetables in quantities beyond belief would spoil and decay. Millions of people would suffer from hunger. Our social and economic system would be thrown into a state of chaos if we were deprived of either rubber or tin. We would plunge at once into the abyss of a depression, the like of which we have never experienced.

Now I realize that there are many interests in this Nation which believe that we should pull out of the east entirely. They are too often influenced by purely local or temporary considerations and do not look at the broad viewpoint or the long-range program. Of course there are those who believe in isolation and make light of the importance of our foreign trade. They are our timid souls who fear involvement in war if we undertake to protect our trade. Then there are those who object to the competition of certain products from the Philippine Islands. These two forces are insistent upon our withdrawal from the east and oppose the proposed improvement to our island of Guam. They fear any attempt to strengthen Guam may be a prelude to retaining control of the Philippines.

They give as their reasons for opposing any improvements on Guam that it may offend the Japanese and that it would be of no value, since it is situated so near to the Japanese mandated islands. Now, both of these objections are farfetched. In the first place, Guam is our territory. We are perfectly within our rights in doing as we please with it. If Japan has no intention of interfering with our commerce or commercial rights in the east, she should not resent such action upon our part. Even if we should convert the island into a Singapore, it is no threat to her. Fortifications are not offensive weapons. They are fixed and placed and cannot be used for invasion. They are strictly nonaggressive weapons. We have never objected to the Japanese fortifying any of their territory and if they have an easy conscience, they cannot object to similar actions on our part. Are we a Nation of men or a Nation of mice? Our consideration for our national interests should be the only consideration.

Now, as to the argument that any attempt to strengthen Guam would be foolish because of its position and distance from our shores. Such argument presupposes that amateur strategists know more about such matters than the experts who have recommended the move. Guam lies directly on our route to this section of the world from which we draw our rubber and tin.

It is the duty of the Navy to protect our national interests wherever they may appear. If protection in the Far East should be necessary, we will expect it to be capable of operating in that vicinity. If we are to expect it to operate successfully in the east, we must give it every possible assistance to do so.

It is all very well to say that we have had no trouble in that quarter of the globe so far, and that we may never have. That is true, but also we may have. If we prepare for trouble and

do not have it, we will have lost money. If we have trouble and are not prepared for it, we shall have lost our trade. So far in our history the British Navy has policed this area. That has been our protection, but there is no assurance that such a state of affairs will continue. In fact, there are many indications that it will not. Such a flar-flung and heterogeneous empire as the British Empire must in time break up. It seems very likely that this will occur soon, regardless of the outcome of the present war. There is also a grave doubt regarding the outcome of the present war. We hope it will terminate favorably for the British and their allies, but as to that no one can say. If it does not, we must not be caught in a defenseless position. We must be prepared to protect our commerce.

Now, let us look at some of the influences which may disturb the present state of affairs in the Far East. The Dutch East Indies are insecurely held by Holland. They have been protected by the British Navy for the last century. They are rich in oil, rubber, tin, and many other valuable commodities. Two great nations, Japan and Russia, both of which have imperialistic designs upon any territory which they believe they can acquire by conquest, have their eyes upon southern Asia. They have long been antagonistic toward each other, but with the passing of the years and the intervention of a mutual friend, Germany, have been drawn closer together. These three nations are ambitious to control the commerce of the world. They are endeavoring to bring about a situation wherein no nation can either buy or sell in any of the markets of the world without paying tribute to one of them. They each plan to effect an internal economic, social, and political set-up which will produce commodities for the markets of the world at a price so low that it will not produce enough profit to permit the purchase of raw materials in the world's market at the world price. In order to make this plan a success they must therefore own the sources of the raw material and enslave the population of these regions in order to make them produce the raw materials for nothing. If this plan succeeds, the standard of living of the democratic nations will be driven down to rock bottom and the wages of their workmen to the level of those of the peon and the coolie.

Japan must pull out of China. The conquest has not brought in enough revenue to justify the expense and her economic system cannot stand the strain. It is becoming more and more doubtful, every day, if even a long-range program of exploitation of China will be profitable. Soaring prices are beginning to have an undesirable effect on her already underfed and undernourished population. This is beginning to bring dangerous thoughts into the minds of the masses. These thoughts, if they continue to multiply, will bring disaster to the military party, which is not going to willingly surrender its power. Japan must do something to retrieve her failing fortunes and prevent dangerous inflation of her currency. She is preparing to pull out of the interior of China but will probably hold the main ports to collect customs until the Chinese become strong enough to drive her out entirely. This they cannot do until they build a navy or have foreign assistance.

In order to recuperate, Japan must turn her eyes to fields of easier and more remunerative conquest. She must have not only markets but supplies of raw materials which will bring in cash—gold. The yen is inflated to the limit. It must be reinforced. She is badly in need of modern fuel—gasoline and oil. Where, now, can Japan the most easily secure this fuel and the commodities which she can sell for cash? In Mexico, South America, or Central America? Obviously not. The Monroe Doctrine forbids. Which nation possesses the most of the much desired gold? The United States, of course. What are the commodities which we lack, and which we need the most? Tin and rubber. Where can they be obtained? In the Dutch East Indies. Is there anything standing between her and her desire? At the present time nothing very substantial—unless it be forces from this hemisphere—the British Navy is busy in Europe.

Another force is also looking to this quarter of the globe. Russia has long looked with greedy eyes to the warmer lands under the British flag to the south of Siberia. Here they

could produce cotton, silk, rubber, tropical fruits, and almost everything needed to make the Soviet Empire self-sufficient. Stalin yearns for the collapse of the British Empire, in order that he may dominate Asia. The Khyber Pass may yet be forced. We must not get the idea that the world is static. It is not. Dynamic forces are on the march. From time immemorial, ceaseless demands have been made for a redistribution of the resources of the world, under the threat of war. Nations have risen and fallen. Cycle after cycle has been completed.

I believe that the totalitarian nations, Germany, Russia, and Japan, have agreed upon a division of what they consider the readily available desirable territory of the world. Germany is to have Denmark, middle and southern Europe; Russia is to have British India, Siam, French Indochina, and the Malay Peninsula; Japan is to have Manchukuo, the ports of China, and all the islands to the east and southeast of Asia.

In case these events take place, we will be in a position where we will be unable to sell a bale of cotton, a bar of steel, a bushel of wheat, a yard of cloth, a pound of lard or any other commodity in any market controlled by any of these nations without paying tribute to them. Worse yet, we will be forced to pay them their own price for those commodities over which they have control, many of which are essential to our economic existence. Where, then, will our commerce be? Where will our standard of living be? Where will western civilization, democracy, and Christianity be? Where will the United States of America be? [Applause.]

Mr. VINSON of Georgia. Mr. Chairman, I yield now to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK of Arizona. Mr. Chairman, I favor the building of an adequate Navy and also the authorization carried in this bill for additions to our Navy. We are dependent, as is a diver, upon our life line, as the gentleman from Pennsylvania [Mr. FARRIS] just pointed out, and there are some vitally necessary supplies which we must yet obtain from overseas.

It may appear strange that one like myself from so far into the interior of the country would take a special interest in naval bills. I do this not only because I am concerned, as is every other Member, with the problem of national defense, and wish to place our first line of defense far out at sea so that no enemy may ever set foot on our soil, but I also want to maintain those vital connections with the other countries of the world for our strategic and indispensable supplies. So long as there are indispensable supplies which we cannot produce ourselves and must get from distant countries, just so long will that fact be a determining factor in the size and strength of our Navy.

In my judgment, the committee has done well to reduce this bill in all items but one, for in these critical times we must build adequately, and yet in these days of great indebtedness we must not overbuild. Of course, we must not let ourselves be cut off from such supplies as rubber and tin. However, if I had my way, we would develop our own supplies of every kind of strategic material which it is at all possible and feasible to produce at home.

Take, for instance, such a strategic material as manganese, which is absolutely necessary for us both in wartime and in peace. The record will show that I have worked earnestly to provide for the necessary stock pile of these strategic minerals, even though the emergency required us to procure them from abroad. But I have been just as anxious to develop our own production as fast as possible. Let me remind the Members that it was in a naval bill passed in 1937 when the first successful effort was made to get through an appropriation for the laying in of a stock of the strategic minerals. It seems to me that wisdom requires this twofold effort for our adequate defense; that is, maintaining our connection with the foreign source of supply as long as it is necessary and at the same time developing our home source of supply. Both of these are very important.

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. JEFFRIES].

Mr. JEFFRIES. Mr. Chairman, I am only a baby in this wonderful organization, and I deem it a great privilege today of having had the opportunity to serve on this wonderful committee. I, too, would pay my compliment to the chairman and the members of this committee upon their approach to this great problem. I live by the sea. My people before me, even down to my brother and myself, have lived in ships. The great State from which I come pays into the Treasury of our Federal Government two-hundred-million-and-odd dollars per year, and receives back in benefits just a little over \$100,000,000. It is an industrial State, and some of the most vital industries to the welfare of this Nation are in that State. We definitely believe that our Navy should be sufficient to render us complete defense. In my approach to this subject I believe that America is single unto herself. I do not think that any of the powers or nations or peoples of Europe or of Asia understand America; nor do I believe that we, the people of the United States, understand the people of the rest of the world. We have had our experiences. We involved ourselves before and got away from the traditions of our forefathers. We had the experience of the World War. We won the war, sure, until finally we discovered that we lost it. I like to look at this matter from a strictly selfish viewpoint. I like to feel that the people of this country—the greatest of all on the face of the earth—have a right to do as we please in the defense and protection of America, and I get awfully sick and tired of hearing the arguments pro and con about what this nation will think or that nation will say.

The situation is somewhat similar to a boxer down here at the arena. Last night I had the privilege of looking at a good boxing match down there. One of the contenders had a great left, and he knew how to stick it out and throw his opponent off balance, and eventually he was able to score enough blows so that he gained the decision. That looks like America to me. We need our Navy. It is our left. I like to feel that we as a nation will tell the world that we will build a navy to suit our own ideas and our own dreams and for our own protection and to suit our pocketbook, and as soon as we can get our house in order financially, and are in such position that we can afford to build two navies, I shall vote for two navies, and I will not take any odds from anybody else when I do vote for two navies. That is the reason why today I felt a little perturbed, and felt that I would have to put myself down here in this pit for the first time. I want to tell the whole of the Nation the fact that I am proud that our committee has done such a wonderful job—impartial, non-political. We have approached this subject honestly for the defense of America and I would like to see us spend all of our money in creating our defense, and being ready to tell the world to mind its own business, and we will mind ours, and let them come over and try to start trouble if they will, because we will be able to defeat the whole world if they want to try it. [Applause.]

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. SCHAFER].

Mr. SCHAFER of Wisconsin. Mr. Chairman, I favor adequate appropriations for our national defense, appropriations to properly defend America, but not to prepare for intervention in foreign wars in foreign lands. It was Abraham Lincoln who said, after pointing out our geographical location, that the danger to America would come from within and not from without. I believe the real danger to America is from within, and that danger lies in our continuing annual deficits of several billion dollars for many years and our rapidly mounting, staggering, stupendous national debt, which has already passed the \$42,000,000,000 mark.

Let us not become extravagant with reference to expenditures in the name of national defense and help pile onto our Federal Government deficits and national debt an additional burden which may result in the destruction of our beloved country from within, as a result of Federal bankruptcy and resulting devastating inflation. Anyone who has studied the history of the world knows that a loose fiscal policy such as the New Deal has followed for 7 long years will inevitably

plunge the United States of America into bankruptcy and inflation, with resulting misery, suffering, distress, and despair second only to a major war of invasion.

I intend to offer an amendment to this bill, and so that the Members may have an opportunity to know about this amendment, so that they can be prepared to vote on it, I shall read it now. This is an amendment offered in behalf of our American national defense.

This amendment proposes to add after the period at the end of line 15, on page 3, the following proviso:

Provided, That no foreign government shall directly or indirectly be permitted to purchase or acquire any type of aircraft or equipment herein authorized, or obtain secret information with reference thereto.

Mr. Chairman, we noted in the press several months ago that a representative of the French Government was found to be riding a Douglas bomber which cracked up; one of our latest Douglas bombers which had been produced and perfected for our own American national defense.

We find in the Washington Star of yesterday, March 11, a headline, "Army May Release 400-M. P. H. Planes for Sale to Allies":

New American-made fighting planes which travel 400 miles an hour may yet salute soldiers on the western front. Aircraft trade circles heard today that the War Department was considering releasing for sale to France and Great Britain one of its latest models—possibly the Curtiss P-40.

Mr. Chairman, the history of the nations of the world, including recent history, reveals that a friendly country today may be an enemy tomorrow, or be under the control of an unfriendly country. If you were to arm yourself with a pistol to defend yourself from a second-story porch climber you would not provide that porch climber with the same kind of a weapon with which to greet you.

I do not believe, when we are spending billions of dollars for our national defense that any foreign country should be given the secrets of our latest inventions and secrets with reference to the latest improved implements of our national defense.

Mr. Chairman, I believe that the country will be very interested in a remarkable situation which has recently developed. We know that in the interest of national defense our overburdened taxpayers have expended many millions of dollars in the way of subsidies to build up our American merchant marine, which is as essential to an adequate and proper national defense as are cruisers, battleships, aircraft carriers, airplanes, and so forth. Many of us who followed our New Deal brethren in 1917 and went overseas to help them make the world safe for democracy, found out that we had to travel in foreign bottoms. I know our outfit did. Is it not rather startling that after all of these expenditures to subsidize and build up our own American merchant marine, to find our multimillionaire New Deal Under Secretary of State, Mr. Sumner Welles, going abroad on a Government mission and not using an American-flag ship, but sailing on the ship of a foreign nation? What else do we find today? We know that there are more than 11,000,000 of our people who are unable to find jobs, even after 7 long years of this wonderful New Deal, which has almost plunged our country into bankruptcy. More than 11,000,000 of our American people who cannot find jobs, who are looking for jobs, and want jobs. Included in those 11,000,000 are many unemployed tailors, many unemployed workers in the textile mills, and many unemployed butlers and valets.

Mr. Chairman, notwithstanding these facts, we find that the press this morning contains the following article:

LONDON ACCLAIMS "BRITON" WELLES

LONDON, March 11.—The United States Under Secretary of State Sumner Welles "wears his perfectly cut blue suit like an Englishman, talks like an Englishman, with no trace of an American accent, and behaves as an Englishman would like to behave," the Evening News said today.

Quoting further:

A later dispatch from John O'Donnell, Washington newspaperman accompanying the Under Secretary, said that Welles went out this afternoon and ordered six suits from a West End (London) tailor.

Mr. Chairman, this is not very good news for the millions of unemployed in America, including unemployed tailors and unemployed persons who formerly worked in the textile mills, manufacturing cloth to be made into suits by tailors.

Mr. THILL. Mr. Chairman, will the gentleman yield?

Mr. SCHAFER of Wisconsin. I yield.

Mr. THILL. Is it true that the Under Secretary of State, Sumner Welles, employs a valet who is a British subject?

Mr. SCHAFER of Wisconsin. It is absolutely true. This multimillionaire New Deal Under Secretary of State, Mr. Sumner Welles, who goes abroad on a Government mission in a foreign boat and who purchased six suits from a foreign London tailor, also carries with him a foreign valet who is a British subject, and his name is Mr. Riggs. Mr. Welles had to leave Mr. Riggs in Switzerland when he went into Germany because Mr. Riggs was a British subject and not an American citizen.

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield the gentleman 4 additional minutes.

Mr. SCHAFER of Wisconsin. I sincerely hope that when our multimillionaire New Deal Under Secretary of State, Mr. Sumner Welles, who, the London papers say, wears his clothes like an Englishman, talks like an Englishman without trace of an American accent, and buys his suits from a London tailor, returns to America from the mission upon which the New Deal "Fuehrer" in the White House sent him [laughter], he will not put on those English clothes which are pressed and kept in order by his British valet, and ask that we sing God Save the King instead of My Country 'Tis of Thee.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. SCHAFER of Wisconsin. I yield.

Mr. BROWN of Ohio. What is Mr. Welles doing in Europe and England?

Mr. SCHAFER of Wisconsin. Oh, he is no doubt pussy-footing around, no doubt trying to make some secret agreements as did our Democratic brethren prior to our entrance in the other World War. When we remember that we have more than 11,000,000 unemployed American citizens we should require that Mr. Welles, when on a Government mission, should travel in boats flying our American flag, should purchase American clothes, the cloth of which is produced in American textile mills by American workers and made into suits by American tailors. Our multimillionaire New Deal Under Secretary of State, Mr. Welles, apparently forgets that the 11,000,000 unemployed in our country include many tailors, valets, textile workers, and seamen.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SCHAFER of Wisconsin. I am pleased to yield to the able and distinguished lady.

Miss SUMNER of Illinois. Too often we find that men who go to Europe to represent Uncle Sam lose their shirts. Probably this wandering gentleman is no exception to the rule.

Mr. SCHAFER of Wisconsin. Perhaps he lost his coat, vest, and pants, as well as his shirt, and that may be his alibi for buying six British suits in London. [Laughter and applause.]

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I yield 5 minutes to the gentleman from Idaho [Mr. WHITE].

Mr. WHITE of Idaho. Mr. Chairman, as a Member of Congress I regret very much to see the American people being carried off their base by hysteria for rearmament at this time. The records disclose that we are now building eight battleships and that we have appropriated money to construct two more.

When we consider the internal conditions of this country, and the world conditions, we must realize that the great powers of the world are engaged in a long and exhausting war. It will be many years, no matter what the outcome of this war, no matter which country is victorious, before any attack could be made on this country.

Under the rules of the Navy, warships are rated as obsolete after 22 years. It seems to me at this time, in view of the appropriations that have been made, in view of the money that we are now expending for naval defense construction, that we are going too far, that this expenditure is uncalled for. We know that we are \$44,000,000,000 in debt. We know that we are raising \$1,000,000,000 by taxation to pay the service charge on this debt. I do not believe it is good business, I do not think it is necessary at this time, to be carried off our feet by this hysteria to rush into an immense defense program when we must realize that the ships built under this program will be obsolete before they can answer any need.

I was very much interested in the statement made by the eminent chairman of this committee to the effect that the British Empire was stronger and mightier at the close of the World War than it was at any time before. We joined with the British Empire in a fight to make the world safe for democracy. What was the spectacle of that mighty country at the close of the World War? After they fought to make the world safe for democracy they stood idly by and let the unspeakable Turks destroy Armenia and drive the Greeks into the sea at Salonika. They stood idly by and let Japan invade Manchuria. If the British were as mighty and as strong at the close of the World War as was said by our eminent chairman, still they had no spirit to carry out the ideals for which we sacrificed our blood and treasure to make the world safe for democracy. In spite of all the might of the British Empire, the policemen of the world, if you please, we have seen the very ideals for which they fought overturned, we have seen the invasion and oppression of many small countries. We saw the British stand idly by, with all her might concentrated in the Mediterranean withdrawn, and Italy permitted to go into Ethiopia and wreck that country.

I am sure that after this war these powers will have no will to war and we shall have no use for these great defense weapons we are building. We shall have a lot of obsolete battleships on our hands. This will prove a useless expenditure. Our Navy is strong enough. Let us spend this money for some useful purpose in an effort to take care of the domestic problems of our country, rather than to spend it carrying out a program inspired by hysteria. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Idaho has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the authorized composition of the United States Navy in under-age vessels as established by the act of May 17, 1938 (52 Stat. 401), is hereby further increased by 218,000 tons, as follows:

(a) Aircraft carriers, 75,000 tons, making a total authorized under-age tonnage of 250,000 tons.

(b) Cruisers, 110,000 tons, making a total authorized under-age tonnage of 522,524 tons.

(c) Submarines, 33,000 tons, making a total authorized under-age tonnage of 114,956 tons: *Provided*, That the foregoing total tonnage for aircraft carriers, cruisers, and submarines may be varied 21,800 tons in the aggregate so long as the sum of the total tonnages of these classes as authorized herein is not exceeded: *Provided further*, That the terms used in this or any other act to describe vessels of designated classes shall not be understood as limited or controlled by definitions contained in any treaty which is not now in force.

Committee amendment:

Page 1, lines 5 and 6, strike out "218,000" and insert in lieu thereof "167,000."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment:

Page 1, line 8, strike out "75,000" and insert in lieu thereof "79,500."

Mr. FISH. Mr. Chairman, I desire to offer an amendment to strike out the 79,500 tons.

Mr. VINSON of Georgia. Mr. Chairman, the gentleman's amendment would strike out all of the tonnage for the aircraft carriers. Is that his purpose?

The CHAIRMAN. Does the gentleman from New York [Mr. FISH] rise in opposition to the committee amendment?

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Mr. FISH. I am in favor of my own amendment. I am not going to contest the committee amendment.

The CHAIRMAN. If the gentleman's amendment is agreed to, it will put the bill back where it was.

Mr. FISH. Mr. Chairman, I think the committee amendment better be disposed of first.

Mr. TABER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TABER. If the committee amendment is agreed to, no further amendment to the number of tons shown in lines 8 and 9 would be in order?

The CHAIRMAN. Not if the committee amendment is agreed to.

Mr. TABER. An amendment to that would have to be an amendment to the committee amendment.

Mr. FISH. Mine would be in the nature of an amendment to the amendment.

The CHAIRMAN. The committee amendment not having been adopted, the gentleman from New York rises in opposition to the amendment.

Mr. VINSON of Georgia. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. VINSON of Georgia. Mr. Chairman, in view of the dilemma the gentleman from New York finds himself in as to the proper way to eliminate the committee amendment, does that not signify to the committee the wisdom of adopting the committee amendment?

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 2, line 1, strike out "250,000" and insert "254,500."

The committee amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 2, line 3, strike out "110,000" and insert "66,500."

The committee amendment was agreed to.

The Clerk read as follows:

Page 2, line 5, strike out "522,524" and insert "479,024."

The committee amendment was agreed to.

The Clerk read as follows:

Page 2, line 8, strike out "33,000" and insert "21,000."

The committee amendment was agreed to.

The Clerk read as follows:

Page 2, line 10, strike out "114,956" and insert "102,956."

The committee amendment was agreed to.

The Clerk read as follows:

Page 2, line 14, strike out "21,800" and insert "by 16,700."

The committee amendment was agreed to.

Mr. FISH. Mr. Chairman, I offer an amendment to strike out the paragraph.

The Clerk read as follows:

Amendment offered by Mr. FISH: Page 1, line 8, strike out all of subparagraph (a).

Mr. FISH. Mr. Chairman, as I understand the situation, the Navy Department recommended three additional airplane carriers and the House Naval Affairs Committee retained those three in the bill. The committee did make certain substantial cuts in other items but it left the maximum proposal for airplane carriers in the bill. As far as I have heard the debate today I find no reason for one airplane carrier even, yet the pending bill calls for three at a cost of \$47,000,000 apiece. The committee has had several hours this afternoon to show the need for these airplane carriers in addition to the seven we already have. I am not so sure they can even prove the need for the seven we already have for adequate national defense. I will go along with any Member, whether Republican or Democrat, for the fullest and most

adequate national defense for our own shores, but these three airplane carriers at a total of \$141,000,000, and probably \$6,000,000 more annually for their maintenance, are not for an adequate national defense. That goes away beyond our needs and takes us toward aggression and war in other lands. If it is the idea to prepare for foreign wars, then we need not three but three times three, but if this bill is designed for national defense, then we do not need any of these airplane carriers. Italy has no airplane carriers and is building no airplane carriers. We have five already and two about to be launched. Germany has none and is only building two.

Mr. O'CONNOR. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Montana.

Mr. O'CONNOR. Could those airplane carriers be used at all, assuming that we do not attempt to cross the Atlantic or the Pacific Oceans looking for war?

Mr. FISH. As I said in the beginning, I do not think we can even prove a case that we need the seven. We have five already and we have authorized two more. I do not think anybody can make out a real case that we need those seven for defensive purposes, yet we are being asked to provide three more just because the Navy said so and the committee accepts the whole quota.

Other items in the bill were cut down by the committee. In addition, as I explained this morning, we will have 8,500 airplanes, and if we did not have a navy, did not have any navy at all, just sank our Navy, the totalitarian nations could not bring over more than 500 airplanes against us by airplane carriers, yet we will have 8,500 airplanes against the 500 representing the combined strength of the dictator nations.

If you really believe in economy—and this is utterly non-partisan and has nothing to do with one party or the other—and want to strike \$143,000,000 out of this bill and still have adequate national defense here is your opportunity. The trouble with all of us is that we give lip service to economy, particularly in our home districts, but when we have a chance to strike a blow for economy and preserve our national defense at the same time we go merrily along and vote for huge expenditures for airplane carriers that are not needed.

I know my amendment probably will be defeated, but I am willing to present the facts to you and let you vote accordingly. I am not insisting on anything except that we be given a vote on this proposition to save \$143,600,000 here today and not impair our national defense.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Illinois.

Mr. KELLER. If the Navy does not know what we need, who does?

Mr. FISH. The gentleman has been here many years, and he knows that if we should follow the Navy's recommendations we would have a Navy two or three times as large as we have today. We have to cut down their estimate each time. If you are going to raise that question, the trouble is that nobody opposes these huge appropriations, not even the farmers. No one has the temerity to get up here and oppose them; yet all the Members who represent shipyards, dockyards, airplane factories, and armor-plate plants are on the floor ready to push through this kind of a naval bill because of the special interest in their own districts. I am in favor of providing any sum for necessary national defense but not one dollar to build a supernavy for aggression. [Applause.] [Here the gavel fell.]

Mr. MAAS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to straighten out the record as far as the facts are concerned. The gentleman who just spoke said the possible coalition of Japan, Germany, and Russia could not be any potential threat to us in the way of carriers. I want to point out that Japan has built or building 8 carriers, Germany 2, and Russia 3, which is a total of 13 against our proposed 10 if we build the 3 we are asking for in this bill.

The life line of this Nation is the Panama Canal, and we must have carriers with their airplane scouts and striking force on both sides of the Canal if we are to keep the Canal

available for the fleet to pass through in case of emergency on either side.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Massachusetts. Mr. BATES of Massachusetts. The gentleman has just said that Japan has eight carriers built and building.

Mr. MAAS. That is right.

Mr. BATES of Massachusetts. The records of the Navy Department show that Japan already has 11 and 2 others are already under construction, making a total of 13 for Japan.

Mr. MAAS. I believe that refers to England.

Mr. BATES of Massachusetts. No; Japan.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield to the gentleman from Georgia.

Mr. VINSON of Georgia. The statement of the gentleman from Massachusetts is absolutely correct. The Naval Intelligence notified me this morning that Japan has in all 13 airplane carriers.

Mr. MAAS. That is most significant, and this information bears out an important point that is that we do not know what other nations are doing now in the way of naval construction. Their plans are very secretive. The figures I gave are the official figures of a year ago. We have no way of knowing today what these other nations are building, England or Germany or France or Japan or any of the rest of them.

Mr. VINSON of Georgia. Let me make this statement to correct the gentleman from New York [Mr. FISH]. I was given this advice this morning by the Naval Intelligence, after checking up Jane's and getting all the information, and this is the correct situation as far as the Navy knows about airplane carriers throughout the world.

Mr. TABER. Mr. Chairman, if the gentleman will yield for a question, I wonder why it is that the hearings on page 1720 show that Japan has eight carriers of a tonnage of 113,470.

Mr. VINSON of Georgia. They are building six now.

Mr. TABER. In addition to those eight?

Mr. VINSON of Georgia. In addition to those 8. Let me read the statement that was given the Committee on Naval Affairs by the Naval Intelligence. Great Britain has built and building and appropriated for 15, Germany has 2, Italy none, France 4, Japan 13, and Russia 3. This is the information telephoned to my office, and it is substantiated by the gentleman from Massachusetts [Mr. BATES] who has the figures there.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. MAAS. I yield to the gentleman from New York.

Mr. FISH. The gentleman from Georgia is answering the remark I made, and I should like to say that I rang up the Navy Department myself this morning and got these exact figures from them, that Japan has six built of 88,000 tons and two under construction of 44,000 tons, making a total of six. This information was given me today by the Navy Department itself.

Mr. VINSON of Georgia. The gentleman did not call the right place. He can get the information only from the Bureau of Intelligence.

Mr. FISH. Does it not seem a little extraordinary to the gentleman that all of a sudden today, after the committee has reported the bill, he should find this information to give to the House?

Mr. VINSON of Georgia. The hearings will disclose that we knew that Japan had eight carriers. The hearings disclose this fact and there is no dispute about it, and the gentleman will see that in my remarks. I said that Japan had eight carriers. After making that statement I was advised by the Navy Department that the information they have is that Japan is building six carriers in addition to those eight.

Mr. FISH. This special department of the Navy Department found that out at what time? Four o'clock this afternoon?

Mr. VINSON of Georgia. No; I got this information at 10 o'clock this morning.

All this bears out our contention of the importance of authorizing these three carriers at this time as constituting the absolute minimum expansion now immediately necessary consistent with any program of safety and security for the United States. Anything less than this will only court and invite disaster. I trust that the amendment will be rejected. [Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Fish].

The amendment was rejected.

The Clerk read as follows:

SEC. 2. The President of the United States is hereby authorized to construct such vessels, including replacements authorized by the act of March 27, 1934 (48 Stat. 503), as may be necessary to provide the total under-age composition authorized in section 1 of this act.

SEC. 3. The President of the United States is hereby authorized to acquire or construct naval airplanes, and lighter-than-air craft, and spare parts and equipment, as may be necessary to provide and maintain the number of useful naval airplanes at a total of not more than 6,000; and the number of useful lighter-than-air craft at a total of not more than 36.

With the following committee amendment:

Page 3, line 1, strike out all of section 3 and insert:

"Sec. 3. The President of the United States is hereby authorized to acquire or construct naval airplanes, and lighter-than-air craft, and spare parts and equipment, as may be necessary to provide and maintain the number of useful naval airplanes at a total of not less than 4,500, including 500 airplanes for the Naval Reserve; and the number of useful lighter-than-air craft at a total of not less than 12."

Mr. COLE of New York. Mr. Chairman, I offer an amendment to the committee amendment, which is at the clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York to the committee amendment: Strike out the word "less" and insert "more than."

Mr. VINSON of Georgia. Mr. Chairman, we accept the amendment.

The amendment to the committee amendment was adopted.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin: After the period at the end of the committee amendment insert: "Provided, That no foreign government shall directly or indirectly be permitted to purchase or acquire any type of aircraft or equipment herein authorized, or obtain secret information with reference thereto."

Mr. VINSON of Georgia. Mr. Chairman, I reserve a point of order against the amendment.

Mr. SCHAFER of Wisconsin. I thank the gentleman, but the amendment is not subject to a point of order.

Mr. VINSON of Georgia. Of course, I did that in the hope that the gentleman might give us some more information about the Under Secretary of State.

Mr. SCHAFER of Wisconsin. I thank the gentleman, and I will give him some information with reference to the rules of the House. A point of order will not lie against my amendment because it is a limitation on the authorization and is germane to the amendment which it proposes to amend.

I shall read this amendment slowly so that the Members of the Congress who are now providing for the defense of the United States of America will realize its importance from a national-defense standpoint.

Mr. Chairman, my pending amendment reads:

Provided, That no foreign government shall directly or indirectly be permitted to purchase or acquire any type of aircraft or equipment herein authorized or obtain secret information with reference thereto.

Mr. Chairman, this amendment is in the interest of our American national defense and the welfare of our American people. We observed in the press on yesterday an Associated Press release headed, "Army May Release 400-Mile-Per-Hour Planes for Sale to Allies." Mr. Chairman, these are some of our latest and most efficient planes, developed for our own na-

tional defense. Several months ago when a Douglas bomber cracked up we found a representative of France, a foreign country, was riding in that bomber, which was a part of our national defense. I know that the Members realize that a nation may be friendly today but may be an enemy tomorrow. The history of the world, and particularly the history of the last 25 years, clearly indicates this to be a fact. Why should we furnish our latest, improved, and up-to-date fighting planes to any foreign country and run the risk of finding at some future date our own American aviators shot down by these improved and efficient American planes which are as efficient as the ones which our American aviators are flying?

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. SCHAFER of Wisconsin. Yes; I yield.

Mr. VINSON of Georgia. The effect of the gentleman's amendment is to prohibit the sale of aircraft of any kind to any foreign government.

Mr. SCHAFER of Wisconsin. No.

Mr. VINSON of Georgia. Will the gentleman read it again and let us see?

Mr. SCHAFER of Wisconsin. It is to prohibit the sale of the type of airplanes authorized in this pending bill to foreign nations.

Mr. VINSON of Georgia. All right; but wait 1 minute. This bill authorizes all types of aviation. It authorizes pursuit planes, scout planes, patrol planes, bombers, and everything.

Mr. SCHAFER of Wisconsin. It does.

Mr. VINSON of Georgia. That type of aviation is prohibited from being sold to any foreign government by the gentleman's amendment, is it not?

Mr. SCHAFER of Wisconsin. My amendment is clear.

Mr. VINSON of Georgia. The gentleman wants to state what the amendment does?

Mr. SCHAFER of Wisconsin. Yes.

Mr. VINSON of Georgia. Will the gentleman do that?

Mr. SCHAFER of Wisconsin. Yes. It is self-explanatory. It is an amendment to the committee amendment which is offered at page 3, providing for the construction of naval airplanes, lighter-than-air craft, and spare parts and equipment, and my amendment simply provides that—

No foreign government shall directly or indirectly be permitted to purchase or acquire any type of aircraft or equipment herein authorized or obtain secret information with reference thereto.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. SCHAFER of Wisconsin. Yes.

Mr. VINSON of Georgia. I am willing to admit that when the gentleman's amendment states "herein authorized" the amendment is germane to this particular section, but the effect of it is to prohibit the Government from permitting any corporation or any citizen to sell any type of airplane because all types are referred to in this measure. Is not that what it does?

Mr. SCHAFER of Wisconsin. No; it does not do any such thing. It only refers to the naval planes and equipment, which is authorized under the amendment to which my amendment is offered.

Mr. VINSON of Georgia. Exactly. The gentleman is correct about that, but what is authorized? The language is:

The President of the United States is hereby authorized to acquire or construct naval airplanes.

Mr. SCHAFER of Wisconsin. Yes.

Mr. VINSON of Georgia. And the language "naval airplanes" embraces what? It embraces every type devised by man. Every type of plane used is a naval plane provided it is used in the Navy.

Mr. SCHAFER of Wisconsin. Just one moment. The authorization is for the Secretary of the Navy to acquire or construct naval airplanes to provide for our national defense. My amendment only restricts these types of naval planes to our own national defense, and aims to prohibit the peddling of planes of their type to foreign nations who might be our enemies in the future. The amendment is in the interest of

our own national defense. I sincerely hope that our distinguished colleague from Georgia, in the interest of our American national defense, will accept the amendment.

Mr. VINSON of Georgia. Of course, no one wants the secrets of the Navy or the Army sold to foreign governments, as was intimated in the newspaper this morning in respect to the 400-mile-an-hour planes, but that is not what the gentleman's amendment does. The gentleman's amendment proposes to prohibit the sale by any citizen of this Government to any foreign nation of any type of plane that is used in the United States Navy.

Mr. SCHAFER of Wisconsin. Oh, no, no. The gentleman must read my amendment again—any type of plane which the Secretary of the Navy is authorized to purchase or build under this bill; that, and that alone. Those are naval defense planes, the latest improved planes. My amendment is restrictive only as to the sale of those planes to foreign countries. Why should Uncle Sam develop and perfect the finest and most efficient planes for his own national defense and then permit foreign nations, who are potential enemies, to have the same kind of planes? To do so would be the same as providing yourself with a pistol to defend yourself from a burglar and then making certain that he is furnished with the same kind of a weapon.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. VINSON of Georgia. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. Does the gentleman from Georgia withdraw his point of order?

Mr. VINSON of Georgia. I withdraw the point of order.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. TABER. Does the proposed amendment prohibit the sale of planes of the type that are provided for here?

Mr. VINSON of Georgia. Yes; exactly.

Mr. TABER. There would be some sense in prohibiting the turning over to a foreign government planes of the current design.

Mr. VINSON of Georgia. I agree with that, and I grant the gentleman is correct.

Mr. TABER. That our Government is putting in an order for, but I cannot see how we can go so far as to prohibit the sale of planes of the same type. That would mean that our manufacturers could not sell a pursuit plane.

Mr. VINSON of Georgia. That is correct.

Mr. TABER. Or a bomber.

Mr. VINSON of Georgia. That is correct.

Mr. TABER. Regardless of whether it was according to Government plans or not. That is the trouble about that amendment.

Mr. VINSON of Georgia. That is correct. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin to the committee amendment.

The amendment to the amendment was rejected.

The CHAIRMAN. The question now is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 4. The President of the United States is hereby further authorized to acquire and convert or to undertake the construction of 125,000 tons of auxiliary vessels of such size, types, and design as he may consider best suited for the purposes of national defense.

With the following committee amendment:

Page 3, beginning in line 18, strike out "125,000" and insert "75,000."

The committee amendment was agreed to.

The Clerk read as follows:

Sec. 5. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this act, which purposes shall include essential equipment and facilities at navy yards for building any ship or ships herein or heretofore authorized.

With the following committee amendment:

Strike out section 5 and insert in lieu thereof the following:

"Sec. 5. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this act, which purposes shall include, in addition to shipbuilding ways and shipbuilding docks at the navy yards at Portsmouth, N. H.; Philadelphia, Pa.; and Norfolk, Va.; essential equipment and facilities at naval establishments for building and equipping any ship or ships herein or heretofore authorized."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk concluded the reading of the bill.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly the Committee rose; and Mr. RAYBURN having assumed the chair as Speaker pro tempore, Mr. LEAVY, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 8026) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes, pursuant to House Resolution 390, he reported the same back to the House with sundry amendments adopted in Committee of the Whole.

The SPEAKER pro tempore (Mr. RAYBURN). Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? [After a pause.] If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—ayes 78 and noes 7.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I respectfully object to the vote on the ground that a quorum is not present.

The SPEAKER pro tempore. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 305, nays 37, not voting 88, as follows:

[Roll No. 43]

YEAS—305

Allen, La.	Church	Edmiston	Hall, Leonard W.
Anderson, Calif.	Clark	Elliot	Halleck
Anderson, Mo.	Clason	Ellis	Hancock
Andresen, A. H.	Claypool	Elston	Hare
Andrews	Clevenger	Englebright	Hart
Austin	Cluett	Evans	Harter, N. Y.
Ball	Cochran	Faddis	Harter, Ohio
Barden	Coffee, Wash.	Fay	Havenner
Barnes	Cole, Md.	Fenton	Healey
Barton	Cole, N. Y.	Fernandez	Hendricks
Bates, Mass.	Connery	Fish	Hennings
Beam	Cooper	Fitzpatrick	Hess
Beckworth	Corbett	Flaherty	Hill
Bender	Costello	Flannagan	Hinshaw
Blackney	Courtney	Flannery	Hobbs
Bland	Cox	Ford, Leland M.	Hoffman
Bloom	Cravens	Ford, Miss.	Holmes
Boehne	Crosser	Ford, Thomas F.	Hook
Boland	Crowe	Fulmer	Horton
Bolles	Culkin	Gamble	Houston
Bolton	Cullen	Gartner	Hunter
Bradley, Pa.	Cummings	Gathings	Izac
Brooks	D'Alesandro	Gavagan	Jacobsen
Brown, Ga.	Darden	Gearhart	Jarman
Brown, Ohio	Davis	Gerlach	Jeffries
Bryson	Delaney	Geyer, Calif.	Jenkins, Ohio
Buck	Dickstein	Gifford	Jennings
Bulwinkle	Dingell	Gilchrist	Jensen
Burch	Ditter	Gillie	Johns
Byrne, N. Y.	Dondero	Goodwin	Johnson, Luther A.
Byrns, Tenn.	Doughton	Gore	Johnson, Okla.
Caldwell	Drewry	Graham	Johnson, W. Va.
Cannon, Fla.	Duncan	Grant, Ala.	Jones, Ohio
Cannon, Mo.	Dunn	Green	Jones, Tex.
Carter	Durham	Gregory	Kean
Cartwright	Dworshak	Griffith	Keefe
Celler	Eaton	Guyer, Kans.	Kefauver
Chapman	Eberharter	Gwynne	Keller
Chipfield	Edelstein	Hall, Edwin A.	Kelly

Kennedy, Md.	Marshall	Reece, Tenn.	Sullivan
Kennedy, Michael	Martin, Iowa	Reed, N. Y.	Summers, Tex.
Keogh	Martin, Mass.	Richards	Sutphin
Kerr	May	Risk	Taber
Kilburn	Merritt	Robertson	Tarver
Kilday	Miller	Robison, Ky.	Tenerowicz
Kinzer	Mills, Ark.	Rockefeller	Terry
Kirwan	Mills, La.	Rodgers, Pa.	Thill
Kitchens	Monkiewicz	Rogers, Mass.	Thomas, N. J.
Kocialkowski	Monroney	Rogers, Okla.	Thomas, Tex.
Kramer	Moser	Romjue	Thomason
Kunkel	Mott	Routzohn	Thorkelson
Landis	Mouton	Rutherford	Tibbott
Lanham	Murdock, Ariz.	Ryan	Van Zandt
Larrabee	Murdock, Utah	Sandager	Vincent, Ky.
Lea	Nelson	Sasser	Vinson, Ga.
Leavy	Norrell	Satterfield	Voorhis, Calif.
LeCompte	Norton	Schaefer, Ill.	Vorvys, Ohio
Lesinski	O'Brien	Schiffier	Vreeland
Lewis, Colo.	O'Connor	Schuetz	Wadsworth
Lewis, Ohio	O'Leary	Schulte	Walter
Luce	Oliver	Schwert	Ward
Ludlow	O'Neal	Scrugham	Warren
Lynch	Pace	Seccombe	Weaver
McAndrews	Parsons	Secrest	Welch
McCormack	Patman	Shanley	Whittington
McDowell	Patton	Shannon	Wigglesworth
McGehee	Pearson	Sheppard	Williams, Del.
McGranery	Peterson, Fla.	Short	Williams, Mo.
McKeough	Peterson, Ga.	Shimpson	Wolcott
McLaughlin	Pfeifer	Smith, Conn.	Wolfenden, Pa.
McLeod	Pierce	Smith, Maine	Wolverton, N. J.
McMillan, Clara G.	Pittenger	Smith, Va.	Woodruff, Mich.
McMillan, John L.	Poage	Smith, Wash.	Youngdahl
Maas	Rabaut	Snyder	Zimmerman
Maclejewski	Ramspeck	South	
Magnuson	Rankin	Sparkman	
Mahon	Rayburn	Spence	

NAYS—37

Alexander	Gossett	Lemke	Schafer, Wis.
Andersen, H. Carl	Harness	Marcantonio	Smith, Ohio
Angell	Harrington	Mason	Springer
Boren	Hawks	Michener	Stefan
Buckler, Minn.	Hope	Mundt	Sumner, Ill.
Burdick	Hull	Murray	Talle
Carlson	Johnson, Ill.	Nichols	Winter
Coffee, Nebr.	Johnson, Ind.	O'Day	
Curtis	Jonkman	Powers	
Engel	Lambertson	Rees, Kans.	

NOT VOTING—88

Allen, Ill.	Darrow	Kleberg	Seger
Allen, Pa.	Dempsey	Knutson	Shafer, Mich.
Arends	DeRouen	McArdle	Sheridan
Arnold	Dies	McGregor	Smith, Ill.
Barry	Dirksen	McLean	Smith, W. Va.
Bates, Ky.	Disney	Maloney	Somers, N. Y.
Bell	Douglas	Mansfield	Starnes, Ala.
Boykin	Doxey	Martin, Ill.	Steagall
Bradley, Mich.	Ferguson	Massingale	Stearns, N. H.
Brewster	Folger	Mitchell	Sweeney
Buckley, N. Y.	Fries	Myers	Taylor
Burgin	Garrett	Osmers	Tinkham
Byron	Gehrmann	O'Toole	Tolan
Camp	Gibbs	Patrick	Treadway
Case, S. Dak.	Grant, Ind.	Plumley	Wallgren
Casey, Mass.	Gross	Polk	West
Collins	Hartley	Randolph	Wheat
Colmer	Jarrett	Reed, Ill.	Whelchel
Cooley	Jenks, N. H.	Rich	White, Idaho
Crawford	Johnson, Lyndon	Robinson, Utah	White, Ohio
Creal	Kee	Sabath	Wood
Crowther	Kennedy, Martin	Sacks	Woodrum, Va.

So the bill was passed.

The Clerk announced the following pairs:
On this vote:

Mr. Cooley (for) with Mr. Gehrmann (against).

General pairs:

Mr. Ferguson with Mr. Jenks of New Hampshire.
Mr. Casey of Massachusetts with Mr. Plumley.
Mr. Randolph with Mr. Reed of Illinois.
Mr. Gibbs with Mr. Douglas.
Mr. Martin of Illinois with Mr. Osmers.
Mr. Boykin with Mr. McGregor.
Mr. Arnold with Mr. Treadway.
Mr. Woodrum of Virginia with Mr. Knutson.
Mr. West with Mr. Rich.
Mr. Starnes of Alabama with Mr. Darrow.
Mr. Garrett with Mr. Brewster.
Mr. Doxey with Mr. Allen of Illinois.
Mr. Kleberg with Mr. Crawford.
Mr. Steagall with Mr. Gross.
Mr. Disney with Mr. Wheat.
Mr. Mansfield with Mr. Crowther.
Mr. Collins with Mr. White of Ohio.
Mr. Dies with Mr. Jarrett.
Mr. Creal with Mr. Stearns of New Hampshire.
Mr. Colmer with Mr. Dirksen.
Mr. Bates of Kentucky with Mr. Shafer of Michigan.
Mr. Camp with Mr. Bradley of Michigan.

Mr. Burgin with Mr. Hartley.
Mr. Dempsey with Mr. Tinkham.
Mr. DeRouen with Mr. McLean.
Mr. Folger with Mr. Grant of Indiana.
Mr. Massingale with Mr. Seger.
Mr. Maloney with Mr. Case of South Dakota.
Mr. Lyndon B. Johnson with Mr. Arends.
Mr. Whelchel with Mr. Myers.
Mr. Fries with Mr. Somers of New York.
Mr. Polk with Mr. Taylor.
Mr. Wallgren with Mr. Barry.
Mr. Wood with Mr. Byron.
Mr. Sabath with Mr. Sweeney.
Mr. Patrick with Mr. Sheridan.
Mr. Smith of Illinois with Mr. Buckley of New York.
Mr. O'Toole with Mr. Bell.
Mr. Sacks with Mr. Kee.
Mr. Tolan with Mr. Martin J. Kennedy.
Mr. Mitchell with Mr. McArdle.
Mr. Robinson of Utah with Mr. Smith of West Virginia.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. SOUTH. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SOUTH. Mr. Speaker, my colleague the gentleman from Texas, Mr. LYNDON B. JOHNSON, is detained in Texas because of a recent death in his family.

Mr. McGRANERY. Mr. Speaker, my colleagues the gentleman from Pennsylvania, Mr. MYERS, and the gentleman from Pennsylvania, Mr. SACKS, have been detained from the House. If present, they would have voted "aye" on the passage of the bill.

Mr. JENKINS of Ohio. Mr. Speaker, my colleague the gentleman from Ohio, Mr. McCREGOR, was called away this afternoon. Had he been present, he would have voted "aye" on the passage of the bill.

EXTENSION OF REMARKS

By unanimous consent, Mr. Voorhis of California was granted permission to extend his own remarks in the RECORD.

ADDITIONAL DISTRICT AND CIRCUIT JUDGES

Mr. LEWIS of Colorado, from the Committee on Rules, submitted the following resolution (Rept. No. 1761) for printing under the rule:

HOUSE RESOLUTION NO. 424

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 7079, a bill to provide for the appointment of additional district and circuit judges. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the Chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

EXTENSION OF REMARKS

Mr. CULKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a brief statement on the services of the United States Engineers.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a radio speech delivered by myself on March 6, 1940, entitled "Ten Million Forgotten Men."

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short newspaper editorial from the Milwaukee Journal.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

ORDER OF BUSINESS

Mr. FISH. Mr. Speaker, may I inquire of the gentleman from Colorado whether he expects to bring up the judgeship bill on Thursday?

Mr. LEWIS of Colorado. It has not been decided definitely as yet. I think there may be some possibility that it may be called up tomorrow.

The SPEAKER pro tempore. If the House will indulge the Chair, the Chair will state that the bill will not be called up tomorrow. The Chair has conferred with the gentleman from Massachusetts [Mr. MARTIN], and the intention is to take up the legislative bill tomorrow. If the legislative bill is finished tomorrow, the judgeship bill will be called up on Thursday. If the legislative bill goes over into Thursday, the other bill will be called up on Friday.

EXTENSION OF REMARKS

Mr. HOUSTON asked and was given permission to revise and extend his own remarks.

STREAM POLLUTION CONTROL—APPOINTMENT OF CONFEREES

Mr. GAVAGAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 685), an act to create a division of water pollution control in the United States Public Health Service, and for other purposes, with House amendments, insist upon the House amendments and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

Mr. CARTER. Mr. Speaker, reserving the right to object, I may be in error, but were not conferees appointed the other day?

The SPEAKER pro tempore. The Parliamentarian informs the Chair that that was not done.

Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none. Without objection, the Chair appoints the following conferees: Messrs. MANSFIELD, GAVAGAN, DERCUEN, SEGER, and CARTER.

There was no objection.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to insert in the RECORD a very interesting letter I received from Commissioner Long, tax commissioner of Massachusetts, on the local tax question.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and insert therein a brief editorial.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

RESIGNATION FROM A COMMITTEE

The SPEAKER pro tempore. The Chair lays before the House the following resignation from committee:

MARCH 12, 1940.

HON. WILLIAM B. BANKHEAD,
Speaker of the House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on the District of Columbia, which resignation is to take effect immediately.

Very truly yours,

ALBERT L. VREELAND,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation will be accepted.

There was no objection.

ELECTION TO STANDING COMMITTEES OF THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer a resolution and ask unanimous consent for its immediate consideration.

The Clerk read as follows:

House Resolution 426

Resolved, That ROBERT K. GOODWIN, of Iowa, be, and he is hereby, elected to the following committees of the House of Representatives: Committee on the District of Columbia, Committee on Pensions, and Committee on the Territories.

LEAVE OF ABSENCE

Mr. DONDERO. Mr. Speaker, my colleague the gentleman from Michigan [Mr. SHAFER] requests leave of absence from the House indefinitely, because of illness in his family.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

By unanimous consent, leave of absence was granted as follows:

To Mr. McCORMACK, for 1 week, on account of important business.

To Mr. SCRUGHAM, for 10 days, on account of official business.

To Mr. TOLAN (at the request of Mr. HAVENNER), indefinitely, on account of serious illness in his family.

To Mr. GARRETT (at the request of Mr. POAGE), for yesterday, today, and the balance of the week, on account of important business.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 49 minutes p. m.) the House adjourned until tomorrow, Wednesday, March 13, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Thursday, March 14, 1940:

H. R. 5476, to create the Alaska Fisheries Commission, and for other purposes.

H. R. 6690, making further provision for the protection of the fisheries of Alaska, and for other purposes.

H. R. 7542, to amend section 6 of an act of Congress entitled "An act for the protection of the fisheries of Alaska, and for other purposes," approved June 6, 1924.

H. R. 7937, to amend section 1 of the act of June 6, 1924, as amended, relative to the fisheries of Alaska.

H. R. 7938, making provisions for employment of the residents of Alaska in the fisheries of said Territory, and for other purposes.

H. R. 8115, making provision for employment of residents of Alaska only in the salmon fishery of the Bristol Bay area, Alaska, during the year 1940.

H. R. 8172, to amend section 5 of the act of Congress approved June 26, 1906, relative to the Alaska salmon fishery.

Tuesday, March 19, 1940:

H. R. 6136, to amend the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911 (36 Stat. 1353; 34 U. S. C. 1122), so as to authorize an appropriation of \$50,000 annually to aid in the maintenance and support of marine schools.

H. R. 7094, to authorize the United States Maritime Commission to construct or acquire vessels to be furnished the States of New York, Massachusetts, Pennsylvania, and California for the benefit of their respective nautical schools, and for other purposes.

H. R. 7870, to extend the provisions of the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911, to include Astoria, Oreg.

H. R. 8612, to authorize the United States Maritime Commission to construct or acquire vessels to be furnished the States of New York, Massachusetts, Pennsylvania, and California for the benefit of their respective nautical schools, and for other purposes.

Thursday, March 21, 1940:

The Committee on Merchant Marine and Fisheries will hold public hearings on Thursday, March 21, 1940, at 10 a. m., on the following bills providing for the establishment of marine hospitals: H. R. 2985 (GREEN), at Jacksonville, Fla.; H. R. 3214 (GEYER of California), at Los Angeles, Calif.; H. R. 3578 (CANNON of Florida), at Miami, Fla.; H. R. 3700

(PETERSON of Florida), State of Florida; H. R. 4427 (GREEN), State of Florida; H. R. 5577 (IZAC), at San Diego, Calif.; H. R. 6983 (WELCH), State of California.

Wednesday, March 27, 1940:

The Committee on Merchant Marine and Fisheries will hold public hearings on Wednesday, March 27, 1940, at 10 a. m., on the following bills providing for Government aid to the lumber industry: H. R. 7463 (ANGELL) and H. R. 7505 (BOYKIN).

Tuesday, April 9, 1940:

The Committee on Merchant Marine and Fisheries will hold public hearings on Tuesday, April 9, 1940, at 10 a. m., on the following bill: H. R. 7637, relative to liability of vessels in collision.

COMMITTEE ON THE JUDICIARY

On Wednesday, March 13, 1940, at 10 a. m., there will be continued before Subcommittee No. I of the Committee on the Judiciary public hearings on the following bills:

H. R. 3331 and S. 1032, to amend the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes."

H. R. 6395, to extend the provisions of the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," approved June 30, 1936, to certain contracts carried out with the aid of Federal funds.

The hearings will be held in room 346, House Office Building.

COMMITTEE ON PATENTS

The Committee on Patents, House of Representatives, will hold hearings Thursday March 14, 1940, at 10:30 a. m., on H. R. 8445, to protect the United States in patent-infringement suits. H. R. 8445 is a substitute for H. R. 6877.

The Committee on Patents will hold hearings Thursday, March 21, 1940, at 10:30 a. m., on S. 2689, to amend section 33 of the Copyright Act of March 4, 1909, relating to unlawful importation of copyrighted works.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday next, March 13, 1940, at 10:30 a. m., for the consideration of House Joint Resolution 334, H. R. 5918, H. R. 7833, and S. 2009.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of a subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m., Friday, March 15, 1940, for the consideration of H. R. 7615 and H. R. 8511.

There will be a meeting of a subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m., Monday, March 18, 1940, for the consideration of H. R. 6939 and H. R. 7633, the identical titles of both bills being "Prescribing tolls to be paid for the use of locks on all rivers of the United States."

COMMITTEE ON INSULAR AFFAIRS

There will be a meeting of the Committee on Insular Affairs on Tuesday, March 19, 1940, at 10 a. m., for the consideration of H. R. 8239, "Creating the Puerto Rico Water Resources Authority, and for other purposes."

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1443. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated February 27, 1940, submitting a report, together with accompanying papers, on reexamination of Wilmington Harbor, Del., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted May 8, 1939 (H. Doc. No. 658); to the Committee on Rivers and Harbors and ordered to be printed.

1444. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated

February 27, 1940, submitting a report, together with accompanying papers, on a preliminary examination and survey of Bayou Grande, Fla., authorized by the River and Harbor Act approved June 20, 1938; to the Committee on Rivers and Harbors.

1445. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated February 27, 1940, submitting a report, together with accompanying papers, on a preliminary examination and survey of Texas City Channel, Tex., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

1446. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated February 27, 1940, submitting a report, together with accompanying papers, on reexamination of Kent Island Narrows, Md., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 3, 1938; to the Committee on Rivers and Harbors.

1447. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated February 27, 1940, submitting a report, together with accompanying papers, on a preliminary examination and survey of and review of reports on Collinsville Cut, Solano County, Calif., authorized by the River and Harbor Acts approved August 26, 1937, and June 20, 1938, and requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted May 21, 1937; to the Committee on Rivers and Harbors.

1448. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated February 27, 1940, submitting a report, together with accompanying papers, on reexamination of Chevreuil Bayou, La., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 4, 1938; to the Committee on Rivers and Harbors.

1449. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated February 27, 1940, submitting a report, together with accompanying papers, on a preliminary examination and survey of Jobos Harbor, Guayama, P. R., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

1450. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated February 27, 1940, submitting a report, together with accompanying papers, on a preliminary examination of Valley Creek, Ala., to a point at or near Birmingham, authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

1451. A letter from the Chief Clerk, Court of Claims of the United States, transmitting a certified copy of the special findings of fact and opinion filed by the court in the case referred to it by Senate Resolution 269 of June 21, 1910, Sixty-first Congress, second session; to the Committee on Claims.

1452. A letter from the Chief Clerk, Court of Claims of the United States, transmitting certified copies of the special findings of fact and opinion filed by the court in the cases referred to it by Public Resolution No. 134, Seventy-fourth Congress (S. J. Res. 38), approved by the President on June 26, 1936, Forty-ninth Statutes, 1983, decided January 8, 1940; to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. JARMAN: Committee on Printing. House Resolution 379. Resolution authorizing the printing of a revised edition of the Rules and Manual of the House of Representatives for the Seventy-seventh Congress (Rept. No. 1749). Referred to the Committee of the Whole House on the state of the Union.

Mr. JARMAN: Committee on Printing. House Resolution 414. Resolution authorizing the printing of the National

Electric Rate Book, published by the Federal Power Commission as a House document (Rept. No. 1750). Referred to the Committee of the Whole House on the state of the Union.

Mr. JARMAN: Committee on Printing. Senate Concurrent Resolution 38. Concurrent resolution authorizing the printing of additional copies of Senate Report No. 1182 entitled "Investigation of Railroads, Holding Companies, and Affiliated Companies" (Rept. No. 1751). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOBBS: Committee on the Judiciary. S. 2739. An act to amend section 45 of the United States Criminal Code to make it applicable to the outlying possessions of the United States; without amendment (Rept. No. 1752). Referred to the House Calendar.

Mr. HOBBS: Committee on the Judiciary. H. R. 6767. A bill to provide additional compensation for employees killed or injured while performing work of a hazardous nature incident to law-enforcement activity, and for other purposes; with amendment (Rept. 1753). Referred to the Committee of the Whole House on the state of the Union.

Mr. THOMPSON: Committee on Military Affairs. S. 1750. An act authorizing the Secretary of War to convey to the town of Marmet, W. Va., two tracts of land to be used for municipal purposes; without amendment (Rept. No. 1754). Referred to the Committee of the Whole House on the state of the Union.

Mr. THOMPSON: Committee on Military Affairs. H. R. 7074. A bill to amend an act to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, projectiles, and other condemned material in their respective Departments; without amendment (Rept. No. 1755). Referred to the Committee of the Whole House on the state of the Union.

Mr. GWYNNE: Committee on the Judiciary. H. R. 8822. A bill to extend original jurisdiction to district courts in civil suits between citizens of the District of Columbia, the Territories of Hawaii or Alaska, and any State or Territory; without amendment (Rept. No. 1756). Referred to the House Calendar.

Mr. KELLER: Committee on the Library. H. R. 8357. A bill to amend the Mount Rushmore Memorial Act of 1938; without amendment (Rept. No. 1757). Referred to the Committee of the Whole House on the state of the Union.

Mr. KELLER: Committee on the Library. House Joint Resolution 445. Joint resolution to establish a commission for the celebration of the two hundredth anniversary of the birth of Thomas Jefferson; without amendment (Rept. No. 1758). Referred to the Committee of the Whole House on the state of the Union.

Mr. SATTERFIELD: Committee on the Judiciary. S. 607. An act to amend section 40 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended; with amendment (Rept. No. 1759). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. H. R. 7737. A bill to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States and direct appeals to the Supreme Court of the United States in certain cases involving the constitutional validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes; with amendment (Rept. No. 1760). Referred to the House Calendar.

Mr. LEWIS of Colorado: Committee on Rules. House Resolution 424. Resolution providing for consideration of H. R. 7079, a bill to provide for the appointment of additional district and circuit judges; without amendment (Rept. No. 1761). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. ANDERSON of Missouri: Committee on Military Affairs. H. R. 774. A bill for the relief of John T. O'Hearn;

without amendment (Rept. No. 1762). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER:

H. R. 8881. A bill to amend the act entitled "An act to provide for rural electrification, and for other purposes," approved May 20, 1936; to the Committee on Interstate and Foreign Commerce.

By Mr. BRADLEY of Pennsylvania:

H. R. 8882. A bill to extend the time for filing claims for refunds by charitable institutions under section 15 (c) of the Agricultural Adjustment Act, as amended; to the Committee on Ways and Means.

By Mr. BUCK:

H. R. 8883. A bill to amend section 404 of the Sugar Act of 1937; to the Committee on Agriculture.

By Mr. DIMOND:

H. R. 8884. A bill to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purposes, and for other purposes; to the Committee on the Territories.

By Mr. DUNN:

H. R. 8885. A bill granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River, at a point between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the County of Allegheny, and in the Commonwealth of Pennsylvania; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN:

H. R. 8886. A bill to establish the Fort Caroline National Monument in Duval County, Fla.; to the Committee on the Public Lands.

By Mr. HOBBS:

H. R. 8887. A bill to authorize the construction of flood-control works at Prattville, Ala.; to the Committee on Flood Control.

By Mr. HOFFMAN:

H. R. 8888. A bill to amend section 1426 (b) (8) (as amended) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. LARRABEE:

H. R. 8889. A bill to amend the Federal Crop Insurance Act; to the Committee on Agriculture.

By Mr. LEAVY:

H. R. 8890. A bill to reduce unemployment; to the committee on Ways and Means.

By Mr. VREELAND:

H. R. 8891. A bill authorizing the appointment of a commission to prepare a new Code of Laws for the District of Columbia; to the Committee on the District of Columbia.

By Mr. WHITE of Idaho:

H. R. 8892. A bill to authorize the Department of the Interior to accept title to the fish hatchery at Clarks Fork, Idaho; to the Committee on Merchant Marine and Fisheries.

By Mr. MALONEY:

H. R. 8893. A bill to amend the Sugar Act of 1937, and for other purposes; to the Committee on Agriculture.

By Mr. RICH:

H. R. 8894. A bill granting the consent of Congress to the State of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Port Allegany in McKean County, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. BLOOM:

H. R. 8895. A bill to enable the United States to carry out its international obligations concerning the regulation of whaling, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SECCOMBE:

H. R. 8896. A bill to provide for the enjoyment by all persons of the facilities of places of public accommodation in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BOEHNE:

H. R. 8897. A bill to extend the time for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.; to the Committee on Interstate and Foreign Commerce.

By Mr. GATHINGS:

H. R. 8898. A bill to extend the time for filing claims for payment under section 602 (d) of the Revenue Act of 1936, as amended; to the Committee on Ways and Means.

By Mr. GEHRMANN:

H. R. 8899. A bill to enable all domestic shipyards to bid on an equal basis for the construction of vessels under the Merchant Marine Act of 1936, as amended, regardless of their location in the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. HOBBS:

H. J. Res. 487. Joint resolution determining the exterior material and finish of public buildings to be erected in the northwest triangle in Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. BLAND:

H. Con. Res. 52. Concurrent resolution to amend House Concurrent Resolution 32, Seventy-sixth Congress, first session; to the Committee on the Library.

By Mr. FISH:

H. Res. 422. Resolution requesting information from the State Department; to the Committee on Foreign Affairs.

By Mr. DELANEY:

H. Res. 423. Resolution to amend rule XXXV of the House of Representatives; to the Committee on Rules.

By Mr. HOFFMAN:

H. Res. 425. Resolution requesting certain information from the Secretary of War; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOYKIN:

H. R. 8900. A bill for the relief of Doullut & Ewin, Inc.; to the Committee on Claims.

By Mr. BRADLEY of Pennsylvania:

H. R. 8901. A bill for the relief of Welenty Slusarz; to the Committee on Immigration and Naturalization.

By Mr. BRYSON:

H. R. 8902. A bill for the relief of Raymond N. Hutto; to the Committee on Military Affairs.

By Mr. CLEVENGER:

H. R. 8903. A bill granting a pension to Carl Kolbe; to the Committee on Invalid Pensions.

By Mr. COSTELLO:

H. R. 8904. A bill to make George M. Louie eligible for naturalization; to the Committee on Immigration and Naturalization.

By Mr. D'ALESSANDRO:

H. R. 8905. A bill for the relief of J. H. Mullen; to the Committee on Claims.

By Mr. EBERHARTER:

H. R. 8906. A bill to record the lawful admission to the United States for permanent residence of Nicholas G. Karas; to the Committee on Immigration and Naturalization.

By Mr. GROSS:

H. R. 8907. A bill granting a pension to Howard Loucks; to the Committee on Invalid Pensions.

By Mr. JOHNS:

H. R. 8908. A bill for the relief of Ernest Melotte and Mary Melotte; to the Committee on Claims.

By Mr. JONES of Ohio:

H. R. 8909. A bill for the relief of the Custer Lumber Co.; to the Committee on Claims.

By Mr. MASON:

H. R. 8910. A bill providing for the extension of nonquota status to Frederick Beck; to the Committee on Immigration and Naturalization.

By Mr. O'CONNOR:

H. R. 8911. A bill for the relief of Fred Spencer; to the Committee on Claims.

By Mr. RAMSPECK:

H. R. 8912. A bill for the relief of Hugh C. Russell; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6883. By Mr. BOLLES: Petition of the United Construction Workers Organizing Committee, Local No. 65, of Burlington, Wis., opposing the proposed amendments to the Wagner Act; to the Committee on Labor.

6884. Also, petition of the International Union, United Automobile Workers of Kenosha, Wis., opposing the proposed amendments to the Wagner Act; to the Committee on Labor.

6885. Also, petition of Local 184, United Automobile Workers, Congress of Industrial Organizations, Racine, Wis., opposing the proposed amendments to the Wagner Act; to the Committee on Labor.

6886. By Mr. DOUGLAS: Resolution of the Polish Community, Inc., Utica, N. Y., urging immediate consideration of legislation providing appropriations for relief of Polish refugees; to the Committee on Ways and Means.

6887. By Mr. KEOGH: Petition of the Central Trades and Labor Council of Greater New York and Vicinity, concerning the longevity-pay bills (S. 487 and H. R. 3649); to the Committee on the Post Office and Post Roads.

6888. Also, petition of the Central Trades and Labor Council of Greater New York and Vicinity, concerning the Board of Appeals bill (H. R. 2569); to the Committee on the Civil Service.

6889. Also, petition of the Brooklyn Council, Kings County, Veterans of Foreign Wars of the United States, Brooklyn, N. Y., favoring sugar legislation that will protect the jobs of the Brooklyn, N. Y., sugar refinery workers; to the Committee on Foreign Affairs.

6889½. By Mr. PFEIFER: Petition of the Central Trades and Labor Council of Greater New York and vicinity, endorsing Senate bill 487 and House bill 3649, the longevity pay bills; to the Committee on the Post Office and Post Roads.

6890. Also, petition of Local No. 1, Women's Division to Navy Yard Retirement Association, Brooklyn, N. Y., urging continuation of the present sugar act to protect the jobs of Brooklyn people; to the Committee on Foreign Affairs.

6890½. By Mr. LUDLOW: Petition of numerous citizens of Indianapolis, Marion County, Ind., protesting against the levying of excise or any other form of processing taxes on bread and other everyday indispensable necessities of life; to the Committee on Ways and Means.

6891. By Mr. GWYNNE: Petition of numerous citizens of the Third Iowa District, urging enactment of House bill 5620, known as the General Welfare Act; to the Committee on Ways and Means.

6892. By Mr. FITZPATRICK: Petition of R. J. McCormack, of Bronx, New York City, N. Y., and many others, protesting against the imposition of new processing taxes, especially on bread; to the Committee on Ways and Means.

6893. By Mr. FLAHERTY: Petition of the Massachusetts Women's Political Club, of Boston, Mass., opposing the furlough provision in the Relief Appropriation Act; to the Committee on Appropriations.

6894. Also, petition of the Finnish-American Club of Greater Boston, Allston, Mass., prohibiting shipment of war supplies to Soviet Government; to the Committee on Foreign Affairs.

6895. By Mr. HARTER of New York: Petition of the Central Council of the Citizens and Taxpayers Association of Cheektowaga, N. Y., opposing the St. Lawrence seaway and power project; to the Committee on Foreign Affairs.

6896. By Mr. HOUSTON: Petition of Mrs. W. C. Stephens and 16 residents of Goddard, Kans., urging enactment of Senate bill 280, a bill to prohibit compulsory block-booking by motion-picture distributors; to the Committee on Interstate and Foreign Commerce.

6897. By Mr. MICHAEL J. KENNEDY: Petition of the American Communication Association, Congress of Industrial Organizations, Marine Division Local No. 2, New York City, designating April 6 as a day of peace and trade-union democracy; to the Committee on the Library.

6898. Also, petition of the Senate of the State of New York, urging that the Congress amend census legislation for 1940 so that any personal questions may be eliminated from the questionnaire and the criminal penalty abolished; to the Committee on the Census.

6899. Also, petition of the harbor carriers of the port of New York, urging that the Congress in 1940 adopt a sugar program which will not increase the quotas of imported tropical refined sugar; to the Committee on Foreign Affairs.

6900. By Mr. SCHIFFLER: Petition of the West Virginia Association of Retail Grocers, Charleston, W. Va., urging that everything possible be done to protect our American industries and American jobs; to the Committee on Labor.

6901. By Mr. HOPE: Petition of Harry Enns, of Inman, Kans., and 16 other citizens, urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6902. Also, petition of Herman Engweiler, of Haven, Kans., and 19 other citizens, urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6903. Also, petition of Carl W. Hayes, of Hutchinson, Kans., and seven other citizens, urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6904. Also, petition of D. E. John, of St. John, Kans., and 20 other citizens, urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6905. Also, petition of Walter Mawhirter, of St. John, Kans., and two other citizens, urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6906. Also, petition of L. S. Burnett, of St. John, Kans., and eight other citizens, urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6907. Also, petition of E. J. Wolsieffer, of Pratt, Kans., and 48 other citizens, urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6908. Also, petition of L. W. Horton, of Stafford, Kans., and 12 other citizens, urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6909. Also, petition of John Booth, of Macksville, Kans., and six other citizens, urging the enactment of the Patman chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

6910. By Mr. MICHAEL J. KENNEDY: Petition of the Central Trades and Labor Council, endorsing Senate bill 487 and House bill 3649, longevity pay bills, which they feel would materially help the postal employee; to the Committee on the Post Office and Post Roads.

6911. Also, petition of Central Trades and Labor Council of New York City, favoring resolutions presented by the New York Letters Carriers' Association, Local No. 36, favoring legislation for a board of appeals and endorsing the Rogers bill (H. R. 2569); to the Committee on the Civil Service.

6912. Also, petition of the Women's International League for Peace and Freedom, opposing alien and sedition bills and favoring legislation for a popular referendum before entering a foreign war; to the Committee on the Judiciary.

6913. By Mr. MARTIN J. KENNEDY: Petition of the Central Trades and Labor Council, New York City, concerning resolutions presented by the Post Office Clerks, No. 10, and the Railway Mail Association relative to the longevity pay bills

(S. 487 and H. R. 3649); to the Committee on the Post Office and Post Roads.

6914. Also, petition of the Central Trades and Labor Council, New York City, concerning the Rogers bill (H. R. 2569); to the Committee on Labor.

6915. Also, petition of the National Concrete Masonry Association, Chicago, Ill., concerning Senate bill 591; to the Committee on Labor.

6916. By Mr. MERRITT: Resolution of the Brooklyn council, Kings County Veterans of Foreign Wars of the United States, urging upon the elective Representatives the necessity of enacting at this session legislation that will prohibit the further expansion, and if possible curtail the import of refined sugar made in tropical islands for our markets and thereby protect the jobs of American men and women of Brooklyn, N. Y.; to the Committee on Foreign Affairs.

6917. Also, resolution of Young Married Couples Club of Community Church, Jackson Heights, urging support of Senator SCHWELLENBACH's resolution to forbid the export of all war-making raw materials to Japan; to the Committee on Foreign Affairs.

6918. By Mr. PFEIFER: Petition of the Central Trades and Labor Council of Greater New York and Vicinity, favoring legislation for a Civil Service Board of Appeals, House bill 2569; to the Committee on the Civil Service.

6919. Also, petition of the Brooklyn Council, Kings County, Veterans of Foreign Wars of the United States, Brooklyn, N. Y., urging continuation of the present Sugar Act and protesting against the importation of tropically refined sugar, thereby protecting the jobs of American men and women in Brooklyn; to the Committee on Foreign Affairs.

6920. By Mr. ELSTON: Petition of W. E. Hey and approximately 100 other citizens of Cincinnati, Ohio, and vicinity, protesting against certain personal questions which are contained in the 1940 census questionnaire; to the Committee on the Census.

6921. By the SPEAKER: Petition of the Bradbury Heights Citizens' Association, Washington, D. C., petitioning consideration of their resolution with reference to a school site; to the Committee on Appropriations.

SENATE

WEDNESDAY, MARCH 13, 1940

(Legislative day of Monday, March 4, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

O Thou who fillest space and time and yet transcendest all: We beseech Thee to communicate Thyself to our spirit's need and out of Thine eternity calm our hearts, bowed down beneath the shadows of our times. The world is full of sighs and tears, and men's hearts failing them for fear. With hopes and prospects rudely shattered, we ask for Thine especial blessing on those valiant ones who suffer from the inexorable power of hateful force and crushing might. Grant through faith and hope and love's transcendent dower, that they may rise to an even finer, nobler citizenship, worthy of the sons of God. Though heart and flesh may fail and all glory become as a fading flower, keep, Thou, their souls, dear Lord, in this their day of visitation. We ask it in the name of Him whose glory is the cross, Jesus Christ, Thy Son, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, March 12, 1940, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.
The VICE PRESIDENT. The clerk will call the roll.